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Bengal Legislative Council Debates

Budget Session, 1940

16th February—2nd April, 1940



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BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Mr. SATYENDRA CHANDRA MITRA, M.L.C.

DEPUTY PRESIDENT.

Mr. HAMIDUL HUQ CHOWDHURY, M.L.C.

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Begum HAMIDA MOMIN.

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Mr. H. C. A. HUNTER.

GOVERNMENT of BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir JOHN ARTHUR HERBERT, G.C.I.E.

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The Hon'ble Mr. ABUL KASEM FAZLUL Huq, in charge of the Education Department.

The Hon'ble Khwaja Sir NAZIMUDDIN, K.C.I.E., in charge of the Home Department.

The Hon'ble Sir BIJOY PRASAD SINGH Roy, in charge of the Revenue Department.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Departments of Public Health (including Medical) and Local Self-Government.

The Hon'ble Maharaja SRIS CHANDRA NANDY, of Cossimbazar, in charge of the Department of Communications and Works.

The Hon'ble Mr. HUSEYN SHAHEED SUHRAWARDY, in charge of the Departments of Finance, Commerce and Labour.

The Hon'ble Nawab MUSHARRUF HOSSAIN, Khan Bahadur, in charge of the Judicial and Legislative Department.

The Hon'ble Mr. PRASANNA DEB RAIKUT, in charge of the Forest and Excise Departments.

The Hon'ble Mr. MUKUNDA DEHARY MULLICK, in charge of the Co-operative Credit and Rural Indebtedness Department.

The Hon'ble Mr. TAMIZUDDIN KHAN, in charge of the Departments of Agriculture, Industries (including Veterinary) and Rural Reconstruction.

BENGAL LEGISLATIVE COUNCIL

ALPHABETICAL LIST OF MEMBERS.

A

1. Ahmed, Mr. Nur. [Chittagong Muhammadan (Rural).]
2. Ahmad, Khan Bahadur Naziruddin. [Burdwan Division Muhammadan (Rural).]
3. Ahmed, Mr. Mesbahuddin. [Bengal Legislative Assembly.]

B

4. Baksh, Mr. Kader. [Bengal Legislative Assembly.]
5. Banerjee, Rai Bahadur Keshab Chandra. [Dacca Division North General (Rural).]
6. Barua, Dr. Arabinda. [Chosen by the Governor.]
7. Bose, Rai Bahadur Manmatha Nath. [Burdwan Division South-West General (Rural).]

C

8. Chakraverti, Mr. Shrish Chandra. [Calcutta General (Urban).]
9. Chaudhury Mr. Moazzemali alias Lal Mia. [Faridpur Muhammadan (Rural).]
10. Chowdhury, Khan Sahib Abdul Hamid. [Mymensingh West Muhammadan (Rural).]
11. Chowdhury, Mr. Khorshed Alam. [Bakarganj Muhammadan (Rural).]
12. Chowdhury, Khan Bahadur Rezzaqul Haider. [Noakhali Muhammadan (Rural).]
13. Chowdhury, Mr. Hamidul Huq. [Bengal Legislative Assembly.]
14. Chowdhury, Mr. Humayun Reza. [Rajshahi cum Malda Muhammadan (Rural).]
15. Cohen, Mr. D. J. [Chosen by the Governor.]

D

16. Das, Mr. Lalit Chandra. [Chittagong Division General (Rural).]
17. Datta, Mr. Bankim Chandra. [Bengal Legislative Assembly.]
18. Datta, Mr. Narendra Chandra. [Bengal Legislative Assembly.]
19. D'Rozario, Mrs. K. [Chosen by Governor.]
20. Dutta, Mr. Kamini Kumar. [Bengal Legislative Assembly.]

E

21. Ellahi, Khan Bahadur S. Fazal. [Presidency Division South Muhammadan (Rural).]
22. Esmail, Khan Bahadur Alhadj Khwaja Muhammad. [Dacca North-West Muhammadan (Rural).]

G

23. Goswami, Mr. Kanai Lal. [Calcutta Suburbs General (Urban).]

H

24. Hunter, Mr. H. C. A. [European.]
25. Haider, Nawabzada Kamruddin. [Bengal Legislative Assembly.]
26. Hosain, Khan Bahadur Saiyed Muazzamuddin. [Bengal Legislative Assembly.]
27. Hossain, Mr. Latafat. [Chosen by the Governor.]
28. Hossain, Mr. Mohamed. [Bengal Legislative Assembly.]
29. Huq, Khan Bahadur Syed Muhammad Ghaziul. [Tippera Muhammadan (Rural).]

I

30. Ibrahim, Khan Bahadur Maulvi Muhammad. [Bogra Muhammadan (Rural).]

J

31. Jan, Alhadj Khan Bahadur Shaikh Muhammad. [Calcutta and Suburbs Muhammadan (Urban).]

K

32. Kabir, Mr. Humayan. [Bengal Legislative Assembly.]
33. Karim, Khan Bahadur M. Abdul. [Mymensingh East Muhammadan (Rural).]
34. Khan, Khan Bahadur Muhammad Asaf. [Rangpur Muhammadan (Rural).]
35. Khan, Maulana Muhammad Akram. [Bengal Legislative Assembly.]

L

36. Laidlaw, Mr. W. B. G. [European.]

M

37. Maitra, Rai Bahadur Brojendra Mohan. [Rajshahi Division South-West General (Rural).]
38. Mackay, Mr. H. G. G. [Bengal Legislative Assembly.]
39. *Mitra, the Hon'ble Mr. Satyendra Chandra. [Bengal Legislative Assembly.]
40. Molla Khan Sahib Subidali. [Bengal Legislative Assembly.]
41. Momin, Begum Hamida. [Chosen by the Governor.]
42. Mookerjee, Mr. Naresh Nath. [Bengal Legislative Assembly.]
43. Mookerji, Dr. Radha Kumud. [Bengal Legislative Assembly.]
44. Mukherji, Rai Bahadur Satis Chandra. [Burdwan Division North-East General (Rural).]

O

45. Ormond, Mr. E. C. [Bengal Legislative Assembly.]

P

46. Pal Chaudhury, Mr. Ranajit. [Presidency Division General (Rural).]
47. Poddar, Mr. H. P. [Bengal Legislative Assembly.]

R

48. Rahman, Khan Bahadur Ataur. [Presidency Division North Muhammadan (Rural).]
49. Rahman, Khan Bahadur Mukhlesur. [Rajshahi Division North Muhammadan (Rural).]
50. Rashid, Khan Bahadur Kazi Abdur. [Dacca South-East Muhammadan (Rural).]
51. Ray, Mr. Nagendra Narayan. [Bengal Legislative Assembly.]
52. Ross, Mr. J. B. [Bengal Legislative Assembly.]
53. Roy, Mr. Amulya Dhone. [Bengal Legislative Assembly.]
54. Roy, Rai Bahadur Radhica Bhushan. [Bengal Legislative Assembly.]
55. Roy Chowdhury, Mr. Krishna Chandra. [Chosen by the Governor.]

x ALPHABETICAL LIST OF MEMBERS. [16TH FEB., 1940.]

8

56. Sanyal, Mr. Sachindra Narayan. [Bengal Legislative Assembly.]
57. Sarker, Rai Sahib Indu Bhushan. [Dacca Division South General (Rural).]
58. Sen, Rai Sahib Jatindra Mohan. [Rajshahi Division North-West (Rural).]
59. Shamsuzzoha, Khan Bahadur M. [Bengal Legislative Assembly.]
60. Singh Roy, Mr. Saileswar. [Bengal Legislative Assembly.]
61. Sinha, Rai Bahadur Surendra Narayan. [Bengal Legislative Assembly.]
62. Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. [Bengal Legislative Assembly.]
63. Scott-Kerr, Mr. W. F. [European.]

THE BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Friday, the 16th February, 1940, at 2-15 p.m., being the first day of the First Session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

QUESTIONS AND ANSWERS

Replies to Questions unanswered during the November-January Session, 1939-40.

District Education Committee of Noakhali.

159. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that in the District Education Committee of the Noakhali District Board of which Khan Bahadur Rezzaqul Haider Choudhury, M.L.C., is the Chairman, Babu Monoranjan Choudhury, M.A., B.L., of the Noakhali Bar, was elected a member and whether it is a fact that the election of Monoranjan Babu was set aside for his being a well-known Congressman in that district? If not, why did not the Commissioner of the Chittagong Division or the Government accept his nomination to that Committee?

(b) Is it a fact that Maulvi Golam Sarwar, M.L.A., has been nominated a member of the Noakhali Primary School Board by the Government?

(c) Was not in these two cases political and communal considerations the determining factor? Why could not Monoranjan Babu ultimately get into the District Education Committee while Maulvi Golam Sarwar could get into the School Board?

MINISTER in charge of the EDUCATION DEPARTMENT (the Hon'ble Mr. A. K. FAZLUL HUQ): (a) Babu Monoranjan Choudhury was so elected but the Commissioner, Chittagong Division, refused to approve of his appointment. Government are not prepared to disclose the reasons for this refusal, but the fact that he is a Congressman was not one of the reasons.

(b) Yes.

(c) (1) No. ,

(2) Because the Commissioner did not approve of his appointment.

Mr. LALIT CHANDRA DAS: Arising out of (c) (2), will the Hon'ble Minister be pleased to state whether there are instances where Government appointed persons who were not approved by the Commissioner?

The Hon'ble Mr. A. K. FAZLUL HUQ: There may be some cases. There may be some reasons also for the deviation.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether the Minister himself was actually satisfied with the reasons that were given by the Commissioner for not appointing Babu Monoranjan Chaudhuri to the Education Committee?

The Hon'ble Mr. A. K. FAZLUL HUQ: I can say that I had no reason to differ from the decision of the Commissioner.

Cases of dacoities, etc., in Noakhali.

160. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Home Department be pleased to make a statement regarding the following particulars with respect to each of two subdivisions of the Noakhali district from the year 1929 up to the present day—

- (a) the number of dacoities committed in each of the years;
- (b) the name of the person or persons in whose houses the dacoities were committed and amount of loss sustained in each dacoity; and
- (c) the names of the accused person or persons who had been tried by the Court of Sessions or by Special Tribunal appointed for the purpose, and the results of the trials, showing each case separately?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): Statements for the last ten years are placed in the Library.

Rural Reconstruction Work in Noakhali.

161. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to make a statement regarding the following particulars with respect to the Noakhali district:—

- (i) the amount allotted to the district for rural reconstruction;
- (ii) the number of tube-wells sanctioned for each subdivision of the district for water-supply;
- (iii) the names of the contractors in each subdivision and the number allotted to each of the contractors; and
- (iv) the number of tube-wells completed according to the contracts in each subdivision?

(b) Is it a fact that a representation was made to the Commissioner of the Chittagong Division to the effect that a large number of tube-wells was allotted to one Bethu Mia *alias* Azizul Haque although he had no previous experience or skill as to the sinking of tube-wells and that this particular contractor withdrew a large sum before the completion of the tube-wells according to the terms of contract and that the Commissioner found the allegations to be true?

(c) If the allegations in the representation to the Commissioner are substantially correct, does the Hon'ble Minister propose to take legal steps against the contractor and the officials involved in the affair?

MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (a) (i) to (iii) A statement is laid on the table.

(iv) No tube-well has yet been sunk in any subdivision.

(b) No such representation appears to have been received by the Commissioner.

(c) Does not arise.

Statement referred to in the reply to clause (a) (i) to (iii) of question No. 161.

(a) (i) Rs. 18,184.

(ii)*158 tube-wells for the Sadar and 65 tube-wells for the Feni subdivision.

Tube-wells.

(iii) Sadar subdivision—

(1) Messrs. Luxmi Narayan and Company	... 47
(2) Nazi Abdul Kader and Company	... 53
(3) Ramani Mohan De, Contractor	... 19
(4) Patal Haque, Contractor	... 11
(5) Auabali, Contractor	... 9
(6) Serajul Haque and Company	... 19

Total ... 158

Feni subdivision—

(1) Golam Hossain	... 37
(2) Mohendra Kumar De	... 18
(3) Abdul Haque	... 10

Total ... 65

Formation of Anti-Malaria Societies in certain villages of Jessore.

162. Mr. K. C. ROY CHOWDHURY: (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that on the 25th March, 1936, the then Hon'ble Minister in charge of the Local Self-Government Department stated on the floor of the Legislative Council that the Government approached the villagers of Sankarpur, police-station Narail, district Jessore, for forming an anti-malaria society but the villagers refused to do so?

(b) If so, will the Government be pleased to enlighten the House on the following facts:—

- (i) what are the names of the villagers whom the Government approached;
- (ii) what is the date of approachment;
- (iii) who approached; and
- (iv) what is the name and designation of the approacher?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: No further information could be collected, although local enquiries were made in the matter, beyond what was stated in reply to this question on the 3rd January, 1940.

Mr. K. C. ROY CHOWDHURY: Will the Hon'ble Minister be pleased to make fresh enquiries because the villagers of that locality seem to know nothing about it? None of the Government Officials approached the villagers and in view of this will the Hon'ble Minister make fresh enquiries?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Yes, I shall.

Hon'ble Ministers residing in rented houses of the Calcutta Improvement Trust.

163. Mr. RANAJIT PAL CHOUDHURY: (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state how many Ministers are residing in the rented houses of Calcutta Improvement Trust and what are their names?

(b) What is the amount of rent that each of the Ministers pay monthly for their houses?

(c) Is it a fact that the rents of these houses have been much reduced on the alleged consideration that the houses are in a dilapidated condition?

• (d) Did the Calcutta Improvement Trust undertake to make repairs at their own cost to these houses?

(e) What amounts were spent for each of the houses occupied by the Ministers?

(f) Will Government state when the houses were fully repaired and if normal rates of rent are demanded from the Ministers?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:

(a) The Hon'ble Khwaja Sir Nazimuddin and myself are living in portions of the Calcutta Improvement Trust's rented premises No. 9, Gariahat Road, and No. 52, Gariahat Road, respectively.

(b) Rupees 350.

(c) and (f) As regards house No. 9, Gariahat Road, the present rent is much higher than the rent which obtained for the house in the past.

As regards house No. 52, Gariahat Road, the rent cannot be considered as reduced.

The houses were never fully repaired.

(d) As regards No. 9, Gariahat Road, the answer is "No". On the other hand, there was definite understanding that the Trust would not spend any money for repair works on this house.

As regards No. 52, Gariahat Road, the Trust undertook to spend Rs. 150 only for certain renovation works.

(e) After we occupied the houses, the Trust spent Rs. 1,554 on No. 9, Gariahat Road, for renovation of the electric installation and setting back a portion of the compound wall. The latter work would have to be done in any case after the house was acquired by the Trust and before leasing out. Rs. 765 was similarly spent by the Trust on the other house for a new pump and renovation of the electric installation with consequent slight structural alterations.

Mr. RANAJIT PAL CHOUDHURY: Will the Hon'ble Minister be pleased to state if the Trust have undertaken any sort of repairs excepting that of electric installation?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:

Mr. RANAJIT PAL CHOUDHURY: Is it a fact that some officers of the Trust went to execute certain orders on a certain House occupied by a certain Minister and were hooted out by the Police who keeps guard over that House?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:
I am not aware of any such event.

Silting up of certain rivers of Faridpur.

164. Mr. MOAZZEMALI CHOUDHURY: (a) Is the Hon'ble Minister in charge of the Communications and Works Department aware that the Chandana, Kumar and Palong Naria rivers in the district of Faridpur have been almost silted up and have become unnavigable during the winter season?

(b) Is he aware that owing to the silting up of the Lower Kumar, the Local Government has lost an annual income of a few lakhs of rupees from the toll collection on the bil route?

(c) Is he aware that owing to the silting up of the above-mentioned rivers, communications by steamers and boats in many parts of the district of Faridpur have become impossible?

(d) Has the Hon'ble Minister considered the fact that the lock and sluice gates put up at the mouths of several canals falling into the Lower Kumar have become useless for the purpose of protecting the Lower Kumar from being silted up? If so, why are those gates still maintained to the immense injury to agriculture, health and communications of the public concerned and also to the recurring loss from the Government revenue?

(e) Has the Hon'ble Minister's Department prepared any scheme for dredging the abovementioned rivers or for resuscitating all or any of the abovementioned rivers? If so, when does the Government propose to undertake to implement those schemes?

(f) Is it the decision of the Local Government not to make any attempt to improve the steamer and boat communications in the district of Faridpur?

(g) Does the Local Government propose to move the Government of India to open new railway lines to remove the difficulties of communications in that district?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossimbazar): (a) and (c) The Chandana and the Kumar system of

rivers have deteriorated owing to natural causes and some long shoals have recently formed in the Palong Nalla. In consequence, navigation has become difficult especially during the dry season.

(b) Yes.

(d) The lock and sluice gates are still useful in maintaining a better flow and retarding siltation.

(e) and (f) Government have contributed two-thirds of the cost of re-excavating the Bhanga-Faridpur *khal* and the Mrigi-Chatra *khal*. Besides, a large amount of money has been spent on dredging the Palong Nalla and the Kutubpur shoals to facilitate communications within the district.

The highly complex problem of permanently improving the Lower Kumar river has engaged the attention of the officers of the department for some time; and the question of improving the Chandana is also under investigation.

(g) No.

Flood in Chittagong.

165. Khan Bahadur SAIYED MUZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state if he has made any enquiry into the causes of recent floods in August last in the district of Chittagong?

(b) If so, will he please state what are the real causes of such flood?

(c) Is it a fact that the construction of the Karnafulli bridge near Kalughat with insufficient openings and the bend in the Halda river are the main causes of this extraordinary flood? If so, has he taken any steps or intends to take any to remove these defects in order to prevent the recurrence of such floods in future? If not, why not?

(d) Is it a fact that the villages lying around the Gomordhan *bil* was very much affected by the flood? If so, what steps does the Government intend to take to provide rapid and easy discharge of rain-water from this *bil*?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar:

(a) Yes.

(b) and (c) I am informed that the flood was due to very heavy rainfall towards the end of July and unusually high tides in August.

I visited some of the affected areas recently accompanied by my principal technical adviser, whose proposals I hope to receive at an early date.

(d) Yes, a scheme for draining the Goman Mardhan *bil* is being considered. I am glad to be able to add that I have been informed that good crops have been obtained in the *bil* since the flood.

Debt Settlement Boards.

***166. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed):** (h) How many appeals have been filed in Chittagong before the Special Officer against the decisions of the Debt Settlement Boards in Chittagong?

(i) In how many cases have the appeals been allowed and in how many cases have they been rejected?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (h) 480.

(i) Allowed 202 and rejected 209.

Mr. LALIT CHANDRA DAS: Arising out of (i), will the Hon'ble Minister be pleased to state whether any steps have been taken to remodel the debt settlement boards in view of the fact that as many as 202 appeals have been allowed?

The Hon'ble Mr. MUKUND BEHARY MULLICK: I do not know if the question arises out of this.

Mr. LALIT CHANDRA DAS: May I know, Sir, whether that is a sufficient answer to my question? My question is whether steps have been taken by the Government to remodel the debt settlement boards in view of the facts that as many as 202 appeals out of a total of 480 have been allowed.

The Hon'ble Mr. MUKUND BEHARY MULLICK: If any question of making any mistake arises, it is settled by the Appellate Court. With regard to other matters Government do take proper steps in individual cases.

Mr. LALIT CHANDRA DAS: I ask whether any steps have been taken by the Government to remodel the debt settlement boards in view of the fact that as many as 202 appeals were allowed out of 480 cases.

The Hon'ble Mr. MUKUND BEHARY MULLICK: I submit that when it is a question of the application of law, Government have no authority whatsoever. Government do take steps in individual cases when they are brought to their notice.

Mr. LALIT CHANDRA DAS: I want to know whether any steps have been taken to remodel these debt settlement boards whose decisions have been upset in so many cases.

* N.B.—Other clauses of the question were replied to on the 18th January, 1940—*vide* question No. 155 of the List of questions and answers of the 18th January, 1940.

Mr. PRESIDENT: Order, order. The only point is whether Government contemplate taking any action in view of the fact that 50 per cent. of the appeals have been allowed.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: No, Sir.

Replies to Questions of the Current Session.

Government loans for sinking of tube wells.

1. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department kindly state what is the average life of a tube-well in Bengal?

(b) Is he aware that tube-wells are now being sunk by many District Boards on taking loan from the Government?

(c) Is he aware that it will be beyond the financial capacity of most boards to resink tube-wells when old ones cease to function?

(d) Is he aware that the prices of tubes and pumps have gone up enormously since the outbreak of the war?

(e) Is he aware that the tube-wells contemplated to be sunk according to the loan scheme, cannot be sunk now unless further loans be sanctioned?

(f) In view of the average life of a tube-well, and the difficulties of resinking, does the Hon'ble Minister propose to reconsider the whole water-supply problem of Bengal and draw up a scheme which will not only solve the immediate needs, but also the future requirements of the Province?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:

(a) The average life of a tube-well is calculated by experts to be approximately ten years. This, however, depends on the quality of the strainers used, the nature of the strata in which the pipes and strainers are placed and also on the method of sinking.

(b) Yes, only three District Boards, viz., Khulna, Malda and Mymensingh, have so far taken loans for improvement of rural water-supply.

(c) No. If the tube-wells can be kept in working order for a period of ten years which is also the term of the loans sanctioned, the District Boards will be free from liability in respect of the loan at the close of the period and should be able to undertake fresh works of water supply including resinking of old tube wells. The cost of resinking tube-wells would be less than the cost of sinking new wells as the old pipes, and, in most cases, the strainers, can be used again.

(d) Yes.

(e) As the prices of materials have gone up, it will not be possible to sink the same number of tube-wells as are provided in the programme. The programme of work will, in the circumstances, have to be curtailed to a certain extent.

(f) The matter is already under my consideration and a detailed programme of work with a view to solving the problem of rural water-supply effectively within a reasonable period, is being drawn up for the whole Province with the aid of the District Boards and in consultation with local water-supply committees which have been set up for the purpose.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to answer (c), will the Hon'ble Minister be pleased to state if the District Board has been consulted as to whether it will be able to take up fresh work and also repair those tube-wells after ten years? I want to know whether it will have sufficient money.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: As I have already explained, loans are granted on certain terms and our experts say that these tube-wells need no repairs for ten years, and we believe by that time the loans will be cleared and therefore I do not think it is necessary to consult the District Board in this matter.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to answer (e)—the prices of materials have gone up—what will happen to the water-supply scheme according to which one tube-well is to be provided for 1,000 people if this is to be reduced further? Will it be sufficient at all to meet the problem?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I do not say that it will be sufficient. As I have already stated in answer (f), we are considering the problem of rural water-supply for the whole of Bengal and this matter will be taken up along with that.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: When can we expect a decision on the point of rural water-supply?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I hope within a few months.

Mr. RANAJIT PAL CHOUDHURY: Is the Hon'ble Minister aware that tube-wells in mofussil frequently go out of order and give trouble?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of that. I suppose the tube-wells go out of order on account of mishandling of them by the people of the locality.

Mr. RANAJIT PAL CHOUDHURY: Will the Hon'ble Minister be pleased to state what the average cost of an average tube-well is?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: That, Sir, depends on the locality. In some places the cost is very low; in some places you have got to spend considerable sums of money on account of the soil, etc. I could not reply off-hand to this question.

Mr. RANAJIT PAL CHOUDHURY: Considering that the tube-wells do go out of order frequently and, as admitted by the Hon'ble Minister himself, that the prices of materials have gone up very heavily, is it not in the contemplation of Government to sink ordinary wells instead of tube-wells?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Sir, this is a matter of policy which requires a great deal of consideration and I cannot answer the question off-hand.

Female waiting room in Bhairab railway station.

• 2. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Is the Hon'ble Minister in charge of the Communications and Works Department aware that the female waiting room attached to Bhairab railway station (Assam-Bengal Railway) is just by the side of the tea-stall and that the female passengers cannot go to the waiting room without passing by the stall which is always crowded during train time?

(b) Is he aware that this matter affecting the privacy of the female passengers was brought to the notice of the Assam-Bengal Railway authorities by the local people, but that the authorities have so far omitted to take any action in the matter?

(c) Will he be pleased to state whether he proposes to impress upon the Railway authorities the necessity of paying due consideration to the question of the privacy of female passengers in waiting rooms especially reserved for them?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar:
(a) Yes.

(b) I understand that to meet the objections the administration has built an extension at a cost of Rs. 1,414.

(c) Does not arise.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to answer (b), may I inquire when this extension was made?

Mr. PRESIDENT: The Hon'ble Minister will realize that this is a matter under the Railway Administration and this Government is to seek information from the Government of India.

Excise licensees of Burdwan.

3. Khan Bahadur Maulvi MUHAMMAD IBRAHIM: (a) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

- (i) the date on which Mr. B. Sarkar, I.C.S., assumed charge as Collector of Burdwan;
- (ii) the percentage of Caste Hindus, Muhammadans, Scheduled Castes and others among the licensees who held different kinds of excise shops in Burdwan district on that date; and
- (iii) the number of cases where the shops were re-settled by Mr. B. Sarkar up to date?

(b) Will the Hon'ble Minister be pleased to state in a tabular form the number of Caste Hindus, Muhammadans, Scheduled Castes and others with whom the shops were re-settled by Mr. B. Sarkar as above showing also the aggregate monthly income of these shops in the case of each such community at the time of the settlement?

The Hon'ble Mr. MUKUNDA BEHARY MULLIICK (on behalf of the Hon'ble Mr. Prasanna Deb Raikut): (a) (i) The 18th June, 1938.

(ii), (iii) and (b) It is regretted that it has not been found possible to obtain accurate figures, since no registers are maintained either in the office of the Excise Commissioner or in the District Excise offices showing the particulars required.

Unscientific fishing.

4. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that small fries of big fishes like Ruhi, Katal, etc., are caught by fishermen indiscriminately and sold for daily human consumption in very large quantities in Bengal?

(b) Is he also aware that Hilsa and other fishes are caught even during the spawning season?

(c) Is he aware that such indiscriminate destruction of the smaller fries of such important species as Ruhi, Katal, etc., has already caused scarcity of fish in certain parts of Bengal where they were found in abundance before?

(d) Is the Government contemplating to enact any legislative measure for controlling such indiscriminate and unscientific destruction of fish fries in the Bengal rivers?

(e) If the reply to clause (d) be in the affirmative, will he kindly state when such legislation can be expected?

MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (a) and (b) Yes.

(c) I am not aware of any actual scarcity of fish in any part of the Province owing to this cause, but I am fully alive to the dangers involved and to the ultimate effect on the fish resources of the Province.

(d) and (e) The question of legislation to prevent catching of immature and what is more important, the catching of spawning fish will be taken up when the Fishery Department is revived—a scheme for which is under consideration. The passing of legislation in the absence of a proper agency to enforce it would be of little use.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Does the Hon'ble Minister realize that even an order to the effect that the catching of fish should not be persisted in during certain months of the year will have some effect and will prevent catching of fish fries and spawning fish?

The Hon'ble Mr. TAMIZUDDIN KHAN: Government do not propose to pass orders to enforce which it has no machinery.

Restriction of jute cultivation.

51 Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department kindly state if the Government has decided upon restricting the area under jute cultivation?

(b) Has his attention been drawn to the table of annual production and consumption of jute given at page 65 of Khan Bahadur Azizul Huq's book, entitled "Man behind the plough" from which it appears that prices of jute did not rise or fall with lesser production or over-production during the last 12 years from 1926 to 1937?

(c) Will he kindly state from what data Government has concluded that the fall in the prices of jute has been due to overproduction?

(d) Will he kindly state whether it is not a fact that the prices of jute are entirely controlled by the middlemen?

(e) Will he kindly state if the Government contemplates establishing warehouses for storage of jute in order to eliminate the mischievous activities of middlemen and the purchasers?

The Hon'ble Mr. TAMIZUDDIN KHAN: (a) No.

(b) I have seen the table referred to, but I cannot vouchsafe for the correctness of the figures therein or of the inferences drawn therefrom by the author.

(c) Government have never maintained that over-production was the sole cause of the fall in jute prices but they consider that it is a main contributing cause. There are many other causes for the low prices that were obtained by growers until very recently. In this connection, I cannot do better than refer the hon'ble member to Chapters III, IV and V of the Report of the Jute Enquiry Committee, a copy of which is laid on the Library Table. These chapters, which were approved by practically the entire Committee give a very clear account of the many factors involved and support the Government view that over-production is a principal cause of low prices.

(d) I think it is an exaggeration to say that jute prices are entirely controlled by middlemen. I think also that it is true that the prices received by the growers could be improved by eliminating some of the many middlemen between producer and consumer and by improving the system of marketing.

(e) The question of warehousing is under consideration.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, may I have your permission to amend answer (a) of this question? Instead of "(a) No", it should be "(a) A decision has already been taken."

Mr. PRESIDENT: Yes, you may.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With respect to answer (b), will the Hon'ble Minister be pleased to consider the figures given in his book entitled "Man behind the plough" by the Hon'ble Khan Bahadur Azizul Huq and to verify the same?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a request for action, though I think that may be done.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: If those figures are to be believed, it shows that even in years when there was overproduction the price was very high and in years of less production the price was very low. It shows that Government has no data for controlling jute.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I am surprised to see that the honourable member holds the view that over-production has no relation to price. Government is definitely of the opinion that over-production has a very definite relation to price.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: How are the figures explained then?—figures of production and the price of jute?

(No answer.)

Mr. LALIT CHANDRA DAS: Is the Hon'ble Minister aware that other provinces, namely, Assam and Bihar also grow jute?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. LALIT CHANDRA DAS: Has any step been taken to see that the Governments of Assam and Bihar may also follow similar methods as have been adopted by the Bengal Government?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what was the result of the steps taken?

The Hon'ble Mr. TAMIZUDDIN KHAN: We have written to those provinces for co-operation, but no final decision has yet been arrived at, in the absence of replies from them.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether the Bengal Government have written to the Governments of Bihar and Assam apprising them of the proposed scheme of restriction?

The Hon'ble Mr. TAMIZUDDIN KHAN: No, Sir. So far as the current year is concerned, it is impossible for the other Governments to take steps similar to what we have taken here. The only thing that they can possibly do is to launch a propaganda for voluntary restriction.

Mr. LALIT CHANDRA DAS: If no restriction obtains in Bihar and Assam, will not the jute-growers in Bengal suffer by our scheme of restriction?

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, we realize the importance of enlisting the co-operation of those provinces, but I do not think that simply if they cannot co-operate in one single year that will materially affect the situation.

Mr. LALIT CHANDRA DAS: Is the Hon'ble Minister aware that the *fatka* transactions affect the price of jute very much to the prejudice of cultivators?

The Hon'ble Mr. TAMIZUDDIN KHAN: That is a question of opinion. It may be true.

Mr. LALIT CHANDRA DAS: With reference to answer (d), in which the Hon'ble Minister has used the word "middlemen", will he be pleased to state whether any action is proposed to be taken for controlling the *fatka* market, so that it may not affect the cultivators prejudicially?

The Hon'ble Mr. TAMIZUDDIN KHAN: Yes, Sir, action is under contemplation.

The Bengal Patni Taluks Regulation (Amendment) Bill, 1939.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, with your permission, I beg to give notice of certain amendments which I want to move in connexion with the Bengal Patni Taluks Regulation (Amendment) Bill, 1939, by Khan Bahadur Rezzaqul Haider Chowdhury, which will come up for consideration in the current session of the Bengal Legislative Council.

Panel of Chairmen.

Mr. PRESIDENT: Under rule 6 of the Bengal Legislative Council Procedure Rules, I nominate—

- (1) Mr. Kamini Kumar Dutta,
- (2) Begum Hamida Momin,
- (3) Raja Phupendra Narayan Sinha Bahadur, of Nashipur, and
- (4) Mr. H. C. A. Hunter,

on the panel of Chairmen for the current session.

Constitution of the House Committee.

Mr. PRESIDENT: Under rule 122 of the Bengal Legislative Council Procedure Rules, I nominate—

The Deputy President (Chairman, *ex-officio*).

- (1) Begum Hamida Momin,
- (2) Mr. W. B. G. Laidlaw,
- (3) Mr. Bankim Chandra Datta,
- (4) Mr. Saileswar Singh Roy,
- (5) Khan Bahadur Rezzaqul Haider Chowdhury, and
- (6) Mr. Mesbahuddin Ahmed,

On the House Committee for the current session.

Governor's Assent to Bill.

Mr. PRESIDENT: I have now to inform honourable members that the following Bill which was passed by both Chambers of the Bengal Legislature has been assented to by His Excellency the Governor under the provisions of section 75 of the Government of India Act, 1935, *viz.:*—

The Bengal General Clauses (Amendment) Bill, 1939.

The Bengal Jute Regulation Ordinance, 1940.

The Hon'ble Mr. TAMIZUDDIN KHAN: Sir, I beg leave to lay before the Council the Bengal Jute Regulation Ordinance, 1940 (Bengal Ordinance No. I of 1940), under section 88 (2) (a) of the Government of India Act, 1935.

Appropriation Accounts, Finance Accounts and Audit Report thereon for 1938-39.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, in pursuance of section 169 of the Government of India Act, 1935, I beg to lay before the Council the report of the Auditor-General of India relating to the accounts of this province for the year 1938-39, viz., the Appropriation Accounts, Finance Accounts and the Audit Report.

Statement about action taken by Government on the non-official resolution adopted by Council during November-January Session, 1939-40.

The Hon'ble Khwaja Sir NAZIMUDDIN: Mr. President, Sir, may I inform the House about the action taken on a non-official resolution?

Mr. PRESIDENT: Yes.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, the resolution moved by Rai Bahadur Keshab Chandra Banerji in the Bengal Legislative Council at its meeting held on the 24th of November, 1939, was adopted by the Council and under rule 95 (2) of the Legislative Council Procedure Rules, I beg to inform the House that a copy of the resolution together with the proceedings were sent to the Bengal Board of Film Censors for information and necessary action.

Presentation of Budget Estimates for 1940-41.

Mr. PRESIDENT: Order, order. Mr. Suhrawardy.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, it is my privilege to present to this House the Budget Estimates for the year 1940-41 which were laid before the Assembly yesterday. In my statement which will be placed in the hands of the honourable members a little later, I have reviewed in considerable detail the general financial position of the province as well as the salient features of our Budget proposals for the coming year. For the convenience of the honourable members of this House, copies of that statement have been placed in their hands, and it is therefore unnecessary for me to tax their patience by traversing the same ground once again. I propose to confine myself to a very brief analysis of our budgetary position and prospects.

When the Budget for the current year was presented in February last, it was anticipated that the working of the year 1938-39 would result in a revenue deficit of Rs. 22 lakhs and yield a closing balance of Rs. 78 lakhs. In actual working, the apprehended revenue deficit did not materialise and the closing balance stood at Rs. 91 lakhs or 'Rs. 13 lakhs above our forecast.

The current financial year thus started under circumstances slightly more favourable than had been originally anticipated.

The House will recall that the current year's Budget proposals were expected to result in a revenue deficit of Rs. 87 lakhs, a deficit that was to be covered by a long term loan of one crore of rupees. The

net result of the year's transactions in the Revenue as well as the Capital and Debt Deposit Section of the Budget was expected to yield a surplus of Rs. 7 lakhs.

The Budget Estimates were based upon two important assumptions both of which have been belied by subsequent events. The first assumption was that weather and crop conditions in the province would be normal. As the House is aware, there were floods and droughts in many districts necessitating a large supplementary demand for loans to agriculturists. The second assumption which has a far more important bearing on our budgetary prospects was that there would be no outbreak of hostilities in Europe. Shipping difficulties caused by the war have adversely affected our receipts from jute duty; against a drop of Rs. 30 lakhs under jute duty we can set improvements of Rs. 21 lakhs under "Income-tax" and of Rs. 7 lakhs under "Land Revenue" and better realisations of loans.

The most noteworthy deviation from the original proposals as a result of changed circumstances, however, consists in the abandonment of the plan to raise a long term loan of one crore of rupees in the open market. The flotation of such a loan in the present uncertain condition of the money market has been considered to be inopportune and it has been decided instead to carry on partly by converting some of the reserves outside the closing balance of 1938-39 and partly by issuing Treasury Bills for short periods to tide over temporary difficulties. The reserves thus converted amount to Rs. 75 lakhs in all. Treasury Bills of the total value of a crore and fifty lakhs of rupees have been or will be issued this year and all but Rs. 60 lakhs out of this will be repaid during the year. All these modifications have been taken into account in the Revised Estimates for the current year. According to these estimates, the year will close with a balance of 1 crore 55 lakhs of rupees which includes Rs. 60 lakhs worth of Treasury Bills repayable in 1940-41. The reserves outside the closing balance have been depleted by the conversion of Rs. 75 lakhs to which reference has already been made. Compared to 1938-39, the financial position has become considerably more stringent.

The Budget for the coming year includes new items of expenditure of about Rs. 54 lakhs, the main increase being under the following heads:—Civil Works—Rs. 13 lakhs, Irrigation—Rs. 6 lakhs, Debt Conciliation—Rs. 6 lakhs, Public Health—Rs. 7 lakhs, Medical—Rs. 3 lakhs, Rural Uplift grants—Rs. 6 lakhs, Education—Rs. 2 lakhs, Super-annuation charges—Rs. 6 lakhs, and Extraordinary charges—Rs. 6 lakhs. The Extraordinary charges represent charges which have to be incurred on account of the War. Among the items covered by this head are air-raid precautions, price control and extra police for guarding protected areas. These charges are expected to be eventually recovered from the Government of India.

For the second consecutive year, we have to draw on our balances to cover our revenue expenditure. It is clear, therefore, that we are living beyond our means and the time has come when it is necessary to augment our resources both to balance our budget and also to enable Government to give effect to its programme of constructive development. I am now engaged in a survey of the possible sources of new revenue and I expect to place new taxation proposals before the Legislature before the end of the coming year. I earnestly hope that when these measures are placed before this House, they will receive the unstinted support of honourable members.

Mr. PRESIDENT: The Council stands adjourned till 2-15 p.m. on Wednesday, the 21st February, 1940.

Adjournment.

The Council then adjourned till 2-15 p.m. on Wednesday, the 21st February, 1940.

Members absent.

The following members were absent from the meeting held on the 16th February, 1940:—

- (1) Khan Bahadur Naziruddin Ahmad.
- (2) Mr. Nur Ahmed.
- (3) Rai Bahadur Keshab Chandra Banerjee.
- (4) Mr. Humayun Reza Chowdhury.
- (5) Mr. Narendra Chandra Dutta
- (6) Mr. Kamini Kumar Dutta.
- (7) Khan Bahadur Alhaj Khwaja Muhammad Esmail.
- (8) Mr. Mohamed Hossain.
- (9) Mr. H. C. A. Hunter.
- (10) Khan Bahadur Syed Muhammad Ghaziul Huq.
- (11) Khan Bahadur M. Abdul Karim.
- (12) Khan Bahadur Muhammad Asaf Khan.
- (13) Maulana Muhammad Akram Khan.
- (14) Mr. H. G. G. MacKay.
- (15) Begum Hamida Momin.
- (16) Dr. Radha Kumud Mookerji.
- (17) Rai Bahadur Satis Chandra Mukherji.
- (18) Mr. E. C. Ormond.
- (19) Khan Bahadur Mukhlesur Rahaman.
- (20) Rai Sahib Jatindra Mohan Sen.

THE BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Wednesday, the 21st February, 1940, at 2-15 p.m. being the second day of the First Session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

QUESTIONS AND ANSWERS

Further replies to questions unanswered during the November-January Session, 1939-40.

Scholarship for girls.

167. Khan Sahib ABDUL HAMID CHOWDHURY (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state if it is a fact that the total number of scholarships available for girls in Bengal in the primary stage is 136 for the primary preliminary and 70 for primary final stage and that there is now primary final public examination for girls as is the case with the boys reading in primary schools?

(b) Is it a fact that the Women's Advisory Board recommended that the present system of conducting special scholarship examination for girls' schools should be discontinued and that examinations should be held in their place uniformly throughout the province under the style of "Primary Final Scholarship Examination" and that they also recommended to increase the number of scholarships for girls to 500?

(c) If so, will the Hon'ble Minister be pleased to state if he has taken or intends to take any steps to give effect to these important recommendations of the Women's Advisory Board? If so, what are they? If not, why not?

(d) Will the Hon'ble Minister be pleased to state what steps he has taken or intends to take for physical training and medical examination of girls in the primary stage. Does he intend to organise a suitable agency for encouraging primary schools to make arrangements for physical training for girls? If not, why not?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): (a) The total number of existing primary preliminary and primary final scholarships is 165 and 98 respectively. There is no primary final public examination for girls.

(b) Yes.

(c) Steps have been taken to give effect to these recommendations. In the Revised Curriculum for Primary Schools in Bengal provision has been made for a departmental examination at the end of class IV, both for boys and girls. As regards increase in the number of scholarships, the question is being considered.

(d) In the Revised Curriculum for Primary Schools in Bengal, provision has been made for physical training in primary schools. It is not proposed to introduce medical examination of girls in the primary stage.

Tour of Hon'ble Ministers during exodus to Darjeeling.

168. Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister in charge of the Finance Department please state how many times each of the Ministers has gone out on tour from Darjeeling during the last summer and autumn exodus and what was the nature of business done by them during these tours by each of the Ministers?

MINISTER in charge of the FINANCE DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): A statement is laid on the table. There was no summer exodus.

Statement referred to in the reply to question No. 168.

Department.	Number of times Hon'ble Ministers went on tour from Darjeeling during the autumn exodus, 1939.	Nature of business done by Hon'ble Ministers dur- ing the tour.
Revenue	.. Twice	.. Official.
Education	.. Nil	.. ..
Co-operative Credit and Rural Indebtedness.	Twice	.. Official.
Forest and Excise	.. Nil	.. ..
Judicial	.. Nil	.. ..
Communications and Works	.. Once	.. Official.
Finance	.. Hon'ble Minister did not move up to Darjeeling during the autumn exo- dus.	..
Public Health and Local Self- Government.	Three times	.. Official.
Agriculture and Industries	.. Ditto	.. Do.
Commerce and Labour	.. Once	.. Do.
Home	.. Three times	.. Do.

Visit to Comilla by Ministers.

169. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that in the first week of October, 1939, the Hon'ble Chief Minister with other Ministers visited Comilla? If so, who were the other Ministers who accompanied him?

(b) Was that visit demanded in the name of the Moslem students and members of the Moslem League Party in that town?

(c) Is it a fact that as the train steamed in carrying the Ministers, they were greeted with the slogans "Allaho Akbar" and "ছাতের দাবী মানতে হলো"?

(d) Is it a fact that the object of that visit was to cheer up the Moslem League communalists of Comilla and to indicate the Ministers' displeasure against the local authorities for having taken action against them in connection with what happened on the morning of the 25th September last when Dr. Shyama Prosad Mukherji, M.L.A., ex-Vice-Chancellor of the Calcutta University, with his party visited the local college on invitation?

(e) What was the purpose of the Hon'ble Ministers' visit to Comilla?

(f) What was the total expenditure incurred by the Government on travelling and other allowance charges of those Ministers on account of that visit?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (a) The Hon'ble the Chief Minister visited Comilla in the first week of October, 1939, but no other Hon'ble Minister accompanied him. The Hon'ble Nawab Bahadur of Dacca and the Hon'ble Mr. H. S. Suhrawardy met the Hon'ble Chief Minister in Comilla later.

(b) The answer is in the negative. There was no question of demand by anybody.

(c) Slogans like, "Allaho Akbar" are shouted wherever Ministers go. As regards the Bengali slogan, the allegation is incorrect.

(d) The answer is emphatically in the negative. All the allegations made are untrue.

(e) The tour was undertaken in the course of official duties.

(f) The figures so far available amount to Rs. 852-9. The charges for train and steamer fares which have not yet been received from the Railway and Steamer authorities will have to be added to this figure.

Mr. LALIT CHANDRA DAS: Arising out of answer '(b)', will the Hon'ble Minister be pleased to state the nature of the official duties which took the three Hon'ble Ministers to Comilla in the first week of October?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, Hon'ble Ministers go on official tours generally, and in this particular case there was also some incident that had taken place and they felt that their presence would help in appeasing the situation that had arisen there.

Mr. LALIT CHANDRA DAS: Is the incident referred to the same as the one that took place when Dr. Shyama Prosad Mukherji visited the Victoria College there?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, Sir.

Mr. LALIT CHANDRA DAS: Arising out of answer (b), if there was not a demand, was any request sent out from Comilla, on behalf of the Muslim League, requesting the Hon'ble Ministers to go to Comilla?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no information on the point, Sir.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what was the correct slogan if it is not the slogan "ছাতের দাবী মানতে হবে"?

The Hon'ble Khwaja Sir NAZIMUDDIN: There was no question of any slogan of that kind.

Mr. LALIT CHANDRA DAS: The answer (c) says "the allegation is incorrect." All that I want to know is regarding the Bengali slogan "ছাতের দাবী মানতে হবে"! If the allegation is incorrect may I know from Government what the allegation is with respect to that slogan?

The Hon'ble Khwaja Sir NAZIMUDDIN: Government assert that there was no slogan of the kind mentioned by the honourable member.

Activities of the Price-Controlling Board.

170. Mr. BANKIM CHANDRA DATTA (on behalf of Mr. Shrish Chandra Chakraverti): (a) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state the activities of the Price-Controlling Board appointed by the Bengal Government, and what effective measures were taken or have been taken by the Government according to the advice of the said Board?

(b) Will the Hon'ble Minister be pleased to state the number and names of firms prosecuted by the Government for suppressing profiteering under rule 81 (2), (6) of the Defence of India Rules?

(c) If so, what is the number and what are the names of the firms and their owners?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (a) It is now common knowledge that immediately on the declaration of war, prices rose abnormally. Government closely watched the course of prices and took all possible steps to prevent profiteering so that excessive rise might not cause hardship to the people. A Chief Controller of Prices was appointed and an Advisory Committee was set up with representatives of trade, industry, labour and the consuming public. This body has met from time to time, and has given the closest attention to the various questions that have arisen and tendered valuable advice to the Chief Controller of Prices in his rather difficult task. This Committee also appointed several sub-committees to which persons having long experience in their particular trade or industry were invited for examination of prices of such articles as dyestuffs, medicines and paper. Government would take this opportunity of expressing their appreciation to the members of the Advisory Committee as well as the co-opted members of the sub-committees who have given their most valuable time in this public cause.

The control has so far been unified. Till about the end of November last, a statement of wholesale and retail prices of articles of common use prevailing in Calcutta was published periodically and circulated to the districts so that uniformity of prices might be obtained, of course having full regard to different rates of transport cost in different districts and additional profits which local conditions might warrant. The price of salt had been fixed as early as 29th of September, 1939. From the 5th of December last, periodically a statement of maximum prices of different indigenous foodstuffs (excluding rice) and such other necessities as matches, Java sugar and coconut oil was published. The price of kerosene oil and petrol had been fixed by the Government.

of India. These price lists are sent on to the districts, so that the District Magistrates, who are also the District Controllers of Prices, may fix their local prices on the basis of these prices.

About the middle of December it was found necessary to fix the maximum prices of certain principal medicines and medical goods, and a list thereof was published on 22nd December, 1939.

(b) and (c) Up to the end of January last eighteen prosecutions against firms were instituted in the Calcutta area by the Controller of Prices, as per details given in the statement placed on the table.

The district figures are not available.

Statement referred to in the reply to question No. 170.

Name of firm.	Name of owner.
(1) Messrs. Calcutta Chemical Co., Ltd.	(a) Mr. K. B. Das (b) Mr. B. N. Moitra } Managers.
(2) Messrs. Chimanlal Hemraj ..	Sew Narayan Soni.
(3) Mr. Rash Bihari Ghosh, Hardware Merchant.	9, Clive Street, Calcutta.
(4) Tilak Medical Hall, 84/2, Grey Street, Proprietor Janaki Nath De.	Radhika Mohan Singha (Salesman).
(5) Biswanath Show (Kerosene), 3, Grant Street, Proprietor Biswanath Show.	Salesman.
(6) Raja Ram & Co. (Medical), 37, Grant Street, Proprietor B. Raja Ram.	Kapil Muni Misra (Salesman).
(7) New Medicel Union (Medical), 72/A, Ashutosh Mukherji Road.	Suresh Chandra Bhattacharyya (Salesman).
(8) Ghosh & Bros. (Medical), 128/3A, Cornwallis Street, Proprietor S. C. Ghose, L. M. Ghose and G. C. Ghose.	Tarak Nath Dutt (Salesman).
(9) The Modern Pharmacy (Medical), 25/2, Beliaghata Main Road.	Hiralal Chandra (Salesman).
(10) Fancy Stores (Medical), 15, Upper Circular Road.	S. C. Das (Salesman and Proprietor).
(11) O. K. Stores (Medical), 73, Dharamtolla Street, Proprietor N. C. Bhattacharya.	R. C. Bhattacharyya (Salesman).
(12) Daw Son & Co. (Medical), 115, Lower Circular Road.	Durjya Dhan Patra (Salesman).
(13) Sankar Pharmacy (Medical), 243, Chittaranjan Avenue, Proprietor Dr. D. N. Dey.	Sudhansu Bikash Roy Chaudhury (Salesman).
(14) Messrs. George Bros. (Medical), Entally Market.	F. George (Salesman and Proprietor).

Name of firm.	Name of owner.
(15) Calcutta Stores (Medical), Entally Market.	Prafulla Kumar Ghosh (Salesman).
(16) Relief Hall (Medical), 65, Garden Reach Road, Proprietor Dr. S. C. Chatterji.	Netai Charan Hazra (Salesman).
(17) B. Mewalal & Co. (Medical), 40, Free School Street, Proprietor B. Mewalal.	B. Mewalal (Salesman).
(18) Burman & Co. (Medical), 81, Cossipore Road, Proprietor K. H. Burman.	J. N. Burman (Salesman).

Replies to questions of the Current Session.

Reading of Quran in Maktabas.

7. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister in charge of the Education Department kindly state—

- (a) if he is aware that the reading of the *Quoran* was compulsory in all Maktabas before the advent of the present Government in Bengal;
- (b) if he is aware that it is no longer compulsory for Muslim boys and girls to learn the reading of the *Quoran* in the free primary schools;
- (c) if he is aware that Muslim guardians have in consequence become very apprehensive that their wards will not have the foundation of religious education properly laid if arrangements be not made for teaching of the *Quoran* in free primary schools where Muslim pupils get education; and
- (d) what is his policy regarding religious education of Muslim boys and girls in free primary schools?

The Hon'ble Sir BIJOY PRASAD SINCH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps are being taken to collect the information which is not yet available.

Government grant to Visva-Bharati.

8. Mr. KAMINI KUMAR DUTTA: (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state if it is a fact that the Government of Bengal in the Department of Education have issued instructions to the Director of Public Instruction not to

accord administrative sanction to some of the grants to educational institutions which were passed by the Assembly during the last Budget Session?

(b) Is it a fact that the grant made in favour of the Visva-Bharati, Santiniketan, for educational activities has not yet been accorded administrative sanction with the result that the money could not be utilised by the said institution? If so, will the Hon'ble Minister please state the reasons for this step in the case of the Visva-Bharati?

(c) In regard to what other items under this head administrative sanction has been withheld although the Budget allotments relating thereto had been passed by the Assembly?

(d) Is it true that administrative sanction to grants made to the educational institutions referred to in paragraph (a) above has been withheld pending final decision in regard to them by the Muslim League Party in the Assembly?

(e) If not, will the Hon'ble Minister please state the reasons why the sums of money budgeted for and granted by the Assembly as far back as March, 1939, should not have been made available yet to the educational institutions concerned?

(f) Will the Hon'ble Minister be pleased to state the number of Hindu educational institutions which have been deprived of the grants approved by the Assembly during the last Budget Session, on account of the withholding of administrative sanction thereto?

(g) Has any Muslim educational institution suffered in a similar manner? If so, what is their number?

(h) Will the Hon'ble Minister please state if the money sanctioned by the Assembly during the last Budget Session in favour of the *Azad* newspaper been permitted to be drawn by its Editor, Maulana Akrum Khan? If so, when was the money drawn by him?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps are being taken for preparation of the reply which is, I regret to say, not yet ready.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state if the information sought for relates to the action of the Hon'ble Minister for Education himself?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, that depends on certain administrative considerations, and information has to be collected with reference to those facts in the department, and outside the department.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state regarding clause (a) of my question, viz., whether instructions have been "issued to the Director of Public Instruction not to accord administrative sanction" and if it is not a matter to which the Hon'ble Minister himself is in a position to give a reply within the shortest possible time?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, as I have stated in the reply, the Chief Minister is collecting information and a full reply to all these questions would be given. So, it is difficult for me at this stage to answer all these questions piecemeal.

Mr. KAMINI KUMAR DUTTA: Surely, the Hon'ble Minister can at least give a reply to the categorical question in sub-clause (d) at once—is it not a fact that administrative sanction to these grants has been withheld?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It is no question of withholding. Probably the matter is being deferred on certain grounds and unless the facts are placed before the House, I do not think it is fair for anyone to draw any inference.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state whether the reply to the question asked in sub-clause (d) is at all a matter of inference or, is it a matter to which a categorical reply can be given at once?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I have nothing further to add. I hope I have made it perfectly clear that information is being collected, and as soon as it is done replies to all the questions put by the honourable member would be given by the Hon'ble Chief Minister.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state if it is not a fact that in respect of the matters on which information has been sought for here, it can be collected from the Secretariat and no time would be required as in the case of other matters of which information is to be gathered from the mufassil?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, that is an inference to which I cannot subscribe.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state whether all the information asked for here are available in the Secretariat?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, I do not think so.

Mr. KAMINI KUMAR DUTTA: Will the Hon'ble Minister be pleased to state whether the Hon'ble Minister is in a position even now to give any reply to sub-clause (e)?

Mr. PRESIDENT: Order, order. I notice the difficulty of the Hon'ble Minister who is answering for the Hon'ble the Chief Minister, who is unfortunately absent to-day. If those Hon'ble Ministers who are not likely to be present inform me of this a little earlier, I shall postpone questions relating to their departments for being answered on the next day or on any subsequent day. I think this practice would be followed in future.

The Hon'ble Khwaja Sir NAZIMUDDIN: May I submit to you, Sir, that it is under your advice that we have followed this procedure, viz., that whenever a question is due for answer but could not be replied, we put in a statement to the effect that steps are being taken to collect the information which is not yet available.

Mr. PRESIDENT: Yes, that is correct.

The Hon'ble Khwaja Sir NAZIMUDDIN: It is presumed that after this information is communicated to the House, there would be no supplementary questions, and I do not think, Sir—

Mr. PRESIDENT: The difference in the present case is this. The Leader of the Opposition believes that the Hon'ble Minister himself could answer in a second some of the points raised here, viz., whether the Chief Minister himself asked the Director of Public Instruction not to accord administrative sanction to some grants intended for some institutions. He was pressing that point repeatedly. In similar questions if an honourable member felt that the Minister in charge of the Department would be in a better position to reply but unfortunately could not be present on a particular day, I shall certainly postpone that particular question and take it up the next day. I desired that on the date fixed there should be an answer of some sort. That is quite true.

The Hon'ble Khwaja Sir NAZIMUDDIN: Therefore, Sir, it being quite in line with the convention created by you, there can be no supplementary questions, when an *ad interim* statement is made.

Mr. PRESIDENT: I quite agree with you, but I am speaking of particular questions like this. If the answer is ready, the answer will certainly be there; but where the answer is not ready, the Hon'ble Minister concerned has to put in a statement that the answer is not ready and it is assumed that after that will be no further questions. The difficulty is that the Leader of the Opposition lays stress on the point that the Hon'ble Minister in charge of the Department could answer straightway without referring to any paper whether he himself issued any order to the Director of Public Instruction. He could simply say "Yes," or "No."

Mr. KAMINI KUMAR DUTTA: May I suggest that as to-day I have got no reply to my questions, the Hon'ble Minister will kindly arrange to give the answers within a reasonably short time?

Mr. PRESIDENT: In the answer it has been said that "steps are being taken" to prepare the answers.

Mr. KAMINI KUMAR DUTTA: I suggest that the answers may be given within a reasonably short time.

The Hon'ble Sir BIJOY PRASAD SINCH ROY: Yes, Sir, we accept that suggestion.

Controversy between the Government and the Public Service Commission.

9. Rai Bahadur SURENDRA NARAYAN SINHA: Will the Hon'ble Minister in charge of the Home Department be pleased to state if it is a fact that the Bengal Public Service Commission and the Government of Bengal have failed to come to an agreement over the question of fixing the minimum standard for passing competitive examinations held for recruitment to the Bengal Civil Service?

The Hon'ble Khwaja Sir NAZIMUDDIN: No.

Training abroad in Public Health problems.

10. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Will the Hon'ble Minister in charge of the Public Health and Medical Department kindly state the names of gentlemen sent abroad at Government expense for higher education and training in Public Health problems during the last 10 years, with educational and special qualifications of each of them?

(b) Does the Government contemplate sending any candidate for such training in the current or next year?

MINISTER IN charge of the PUBLIC HEALTH and MEDICAL DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (a) A statement is laid on the table.

(b) Yes, if the international situation permits.

Statement referred to in the reply to question No. 10.

(i) Dr. G. L. Batra, M.B., Ch.B. (Edin.), D.P.H., the then Assistant Director of Public Health, Burdwan Circle, was granted leave for 12 months from the 1st August, 1930, namely, leave on average pay for 8 months and study leave for the remaining period for study of Industrial Hygiene at the Harvard University.

(ii) Dr. S. N. Sur, M.B., D.P.H. (Lond.), D.T.M. & H. (Lond.), Assistant Director of Public Health, then in charge of Malaria Research, was granted leave on average pay for 8 months from the 15th December, 1929. During this period he was given study leave allowance from January to March, 1930, while he was studying Epidemiology and Vital Statistics in the School of Tropical Medicine, London.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Was no Muhammadan candidate considered suitable to be sent for training abroad?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I think the honourable member understands that here two Assistant Directors of Public Health applied for study leave. It is not a question for Government to say if there is a suitable Muhammadan or not. The question is whether any Muhammadan applied for leave. If he had done so, then it would have been possible for Government to say whether he was suitable or not for being granted study leave.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: May I take it that in future if suitable Muhammadans apply and be considered fit, they will be granted study leave?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: Certainly. If suitable Muhammadans apply, they will be given study leave.

Sinking of tube-wells by the District Boards.

11. Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: (a) Will the Hon'ble Minister in charge of the Local Self-Government Department kindly state if he is aware that the cost of sinking tube-wells has gone up considerably since the outbreak of the present European War?

(b) Is he aware that in consequence the District Boards which had undertaken the sinking of tube-wells in accordance with the terms of the Government loan scheme, are not being able to proceed with the work of the Loan Fund?

(c) Is he aware that the District Boards are short of funds even for keeping the existing wells in their jurisdiction in proper state of repairs?

(d) Will he kindly state what the Government propose to do in solving the problem of water-supply in the rural areas under the changed circumstances?

MINISTER in charge of the LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (a) Yes.

(b) The attention of the hon'ble member is drawn to answer to (e) of question No. 1 of the current session.

(c) No. The recent reports from the districts show that a majority of the District Boards is maintaining the tube wells in order.

(d) The hon'ble member is referred to answer to (f) of question No. 1 of the current session. I may add that the changed circumstances will be taken into consideration when a final decision is made.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: In view of the changed circumstances, does the Hon'ble Minister consider it necessary that a Committee should be formed to enquire into the problem of water-supply which would be most suitable for this province in view of the fact that prices of rice and other things have gone up very much and we do not know when they are likely to come down?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I have already explained in reply to a similar question which was put to me in this House that Government have already asked the District Boards and Rural Water-supply Committees to let them have a programme and after that is received Government will consider if public opinion will have to be taken.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN: Is the Government aware that tube-wells go out of order within 5 years and, if so, will it not be a huge waste of money if we go in for more tube-wells?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:

As I have already explained formerly in this House, according to the information of Government tube-wells require to be repaired after ten years. I am not aware of the fact that tube-wells go out of order within five years. In some cases it may be so due to mishandling.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is it a fact that the Dacca District Board substituted ferro-concrete wells for tube-wells?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca: I am not aware of it.

Re-excavation of certain khals of Chittagong.

12. Khan Sahib ABDUL HAMID CHOWDHURY (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state if it is a fact that for want of timely re-excavation of the Kerunja Garutala *khal* and the diversion of its mouth in the Patiya thana of Chittagong heavy damage has been caused and is being caused to the paddy crop in the villages of Mansha, Banigram, Harinkhine, etc., during the rainy season amounting to more than a lakh of rupees a year?

(b) Is it a fact that for want of proper arrangements for the regular flow of rain water from those villages, the agriculturists numbering more than fifty thousand suffer annual loss of more than a lakh of rupees year after year, and that they lose about 70 to 90 per cent. of the *aus* crop and also 80 to 98 per cent. of *aman* crop?

(c) Is it a fact that the people of these villages have represented their grievances to the Hon'ble the Chief Minister when he visited Chittagong in January last and also to the local Circle Officer and other officials?

(d) If so, what steps have been taken by Government to get this *khal* re-excavated with a view to giving necessary relief to the poor villagers of these villages? If not, why not?

(e) Is it a fact that the villages of the Banskhali thana of Chittagong borders on the Bay of Bengal and stands in constant danger of being flooded by saline water from the Bay?

(f) Is it a fact that considerable damage to properties and crops was caused during the floods in August last for want of timely repair of the embankment maintained by private owners?

(g) Is it a fact that some portion of the embankment constructed to keep off saline water is maintained by Government and other portions by private persons?

(h) Is the Hon'ble Minister aware that the excavation of a canal from the Bharasanga up to the Peskarhat canal is a long-felt want for want of which the people of Anwara, Banskhali, etc., who use these canals are suffering considerably?

(i) Is it a fact that the excavation of the proposed canal will result in shortening the distance of journey and will greatly facilitate the boat traffic between Banskhali, Anwara and other parts of the interior and the district headquarters? If so, what steps has the Government taken or is about to take to excavate the proposed canal? If not, why not?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Sris Chandra Nandy, of Cossimbazar): With your permission, Sir, I propose to reply to question Nos. 12 and 13 together.

I am making enquiries and will give the information desired in due course.

Flood in Chittagong.

13. Mr. NUR AHMED: (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state if it is a fact that the villagers of Hathazari, Rauzan and Faticksari thanas of the district of Chittagong suffer heavy loss every year owing to annual inundation and other causes, such as the silting up of the Dhurang *khal*, the zig-zag course of the river Halda and insufficient number of bridges on the Hathazari-Rauzan Road?

(b) Is it a fact that nearly five lakhs of villagers are affected in those areas by such recurring inundation?

(c) Has the District Engineer of Chittagong prepared an estimate of Rs. 57,000 only for the re-excavation of the Dhurang *khal* and has the Executive Engineer of the Dacca Circle also prepared an estimate of Rs. 20,000 for straightening the ziz-zag course of the Halda river? If so, has the Government sanctioned these estimates? If not, why not?

(d) Is it a fact that the proposal of construction of further bridges on the Hathazari-Rauzan Road is still under the consideration of the Government? If so, has the Government arrived at a final decision in these matters? If not, when is the Government expected to finally decide these matters?

(e) Is it a fact that the Chief Minister and other Ministers have given assurance to the people of these thanas about giving effect to the abovementioned projects? If so, when does the Government intend to carry out these projects?

(*Vide* reply to question No. 12.)

Deterioration of Live-stock in Bengal.

14. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: (a) Is the Hon'ble Minister in charge of the Agriculture Department aware that the quality of the live-stock in Bengal is steadily deteriorating for want of facilities about pasture lands?

(b) Is he aware that some Marwari gentlemen of Calcutta have established a Live-Stock Association with the express intention of improving the live-stock of the Province by arranging pasture lands?

(c) Will he kindly state if the Government has under contemplation any scheme for increasing and improving the facilities in regard to pasture in this Province?

(d) Is he aware that more than 25 per cent. of the arable land in Bengal is still uncultivated in spite of the pressure of population on land and that there is plenty of room for extending the facilities about pasture grounds?

MINISTER in charge of the AGRICULTURE DEPARTMENT (the Hon'ble Mr. Tamizuddin Khan): (a) There has been a deterioration of the live-stock in Bengal but not for want of facilities about pasture lands. It has been due to bad management and malnutrition or starvation which cannot be remedied by establishment of pasture lands. The remedy lies in growing fodder-crops, stall-feeding and better conservation of straw and fodder.

(b) The Association is not recognised by Government and I have no information regarding its activities.

(c) The hon'ble member is referred to the answer given to the question No. 23 by Mr. Nur Ahmed answered on 5th May, 1939, a copy of which is laid in the Library.

(d) No. The area of uncultivated land definitely known to be culturable is only about 143,000 acres scattered throughout the Province.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Is the Hon'ble Minister aware that there are 11 million acres of non-culturable lands in Bengal which could be converted into pasture lands?

The Hon'ble Mr. TAMIZUDDIN KHAN: I am not aware of that.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Does the Hon'ble Minister mean to say that pasture land is not necessary for the cattle of this province?

The Hon'ble Mr. TAMIZUDDIN KHAN: To provide pasture land is unprofitable under present conditions.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Does the Hon'ble Minister mean to say that if the lands which are lying fallow be converted into pasture land, they would not be profitable?

The Hon'ble Mr. TAMIZUDDIN KHAN: I have said in my answer to question (d) that the uncultivated lands that are lying fallow are scattered throughout the province and most of them are not suitable for being converted into pasture land?

Mr. *PRESIDENT: Order, order. You may ask for information but no argument is permissible.

Notices of amendments.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have the honour to give notice that at the current session of the Bengal Legislative Council I shall move by way of amendment to the motion for reference to a Select Committee of the Bengal Patni Taluks Regulation (Amendment) Bill, 1939, sponsored by Khan Saheb Abdul Hamid Chowdhury that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

I have the honour also to give notice that during the current session of the Bengal Legislative Council, I shall move by way of amendment to the motion for consideration of the Bengal Land Revenue Sales (Amendment) Bill, 1938, sponsored by Khan Bahadur Saiyed Muazzamuddin Hosain that the Bill be referred to a Select Committee consisting of—

- (1) Khan Bahadur Abdul Karim,
- (2) Khan Saheb Abdul Hamid,
- (3) Khan Bahadur Saiyed Muazzamuddin Hosain,
- (4) Khan Bahadur Naziruddin Ahmed,
- (5) Mr. Kader Baksh,
- (6) Mr. E. C. Ormond,
- (7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
- (8) Mr. Kamini Kumar Dutta,
- (9) Mr. Naresh Nath Mukherjee,
- (10) Rai Manmatha Nath Bose Bahadur, and
- (11) the mover,

with instructions to submit their report by the 30th April, 1940. The number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have the honour to give notice that during the current session of the Bengal Legislative Council, I shall move by way of amendment to the motion for reference to a Select Committee of the Bengal Non-agricultural Tenancy Bill, 1937, sponsored by Khan Bahadur Saiyed Muazzamuddin Hosain that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have the honour to give notice that during the current session of the Bengal Legislative Council, I shall move by way of amendment to the motion for reference to a Select Committee of the Bengal Emergency Rent Remission Bill, 1938, sponsored by Khan Bahadur Saiyed Muazzamuddin Hosain that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

The Hon'ble Nawab Khwaja HABIBULLA Bahadur, of Dacca: I have the honour to give notice that I desire to move in the current sessions of the Bengal Legislative Council, the following amendment to Mr. Humayun Kabir's motion that his Bill for the amendment of the Bengal Local Self-Government Act, 1885, be referred to a Select Committee, viz.—

that the Bill be recirculated for the purpose of eliciting further opinion thereon by the 31st December, 1940.

The Hon'ble Nawab Khwaja HABIBULLA Bahadur, of Dacca: I have the honour to give notice that I desire to move in the current sessions of the Bengal Legislative Council, the following amendment to Rai Surendra Narayan Sinha Bahadur's motion that his Bill for the amendment of the Bengal Municipal Act, 1932, be referred to a Select Committee, viz.—

that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

The Hon'ble Nawab Khwaja HABIBULLA Bahadur, of Dacca: I have the honour to give notice that I desire to move in the current sessions of the Bengal Legislative Council, the following amendment

to Mr. Nur Ahmed's motion that his Bill for the amendment of the Bengal Municipal Act, 1932, be referred to a Select Committee, viz.—

that the Bill be recirculated for the purpose of eliciting further opinion thereon by the 31st December, 1940.

The Hon'ble Nawab Khwaja HABIBULLA Bahadur, of Dacca:

I have the honour to give notice that I desire to move in the current sessions of the Bengal Legislative Council, the following amendment to Mr. Nur Ahmed's motion that his Bill for the amendment of the Bengal Food Adulteration Act, 1919, be referred to a Select Committee, viz.—

that the Bill be recirculated for the purpose of eliciting further opinion thereon by the 31st December, 1940.

The Hon'ble Mr. TAMIZUDDIN KHAN: I beg to give notice that at the current sessions of the Bengal Legislative Council I shall move by way of amendment to the motion for consideration of the Bengal Water Hyacinth (Amending) Bill, 1938, sponsored by Khan Bahadur Saiyed Muazzamuddin Hosain that the Bill be referred to a Select Committee consisting of—

- (1) Khan Bahadur Saiyed Muazzamuddin Hosain,
- (2) Mr. E. C. Ormond,
- (3) Mr. Kamini Kumar Dutta,
- (4) Rai Bahadur Radhika Bhusan Roy,
- (5) Mr. Nur Ahmed,
- (6) Khan Bahadur Maulvi Ataur Rahman,
- (7) Khan Bahadur Maulvi Razzakul Haidar Chowdhury,
- (8) Mr. Mukhlesar Rahman,
- (9) Khan Bahadur Mohammad Ibrahim,
- (10) Mr. Khorshed Alam Chowdhury, and
- (11) the mover,

with instruction to submit their report by the 30th June, 1940, and that the quorum of the Select Committee be fixed at five.

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I beg to give notice of the following amendment to the motion of Khan Bahadur Saiyed Muazzamuddin Hosain that the Bengal Agricultural Debtors (Amendment) Bill, 1938, be referred to a Select Committee at the session of the Bengal Legislative Council commencing on the 16th February, 1940—

that the Bill be circulated for the purpose of eliciting public opinion thereon by the 31st December, 1940.

Laying on Table of the Bengal Finance (Amendment) Bill, 1940, as passed by the Bengal Legislative Assembly.

SECRETARY: Sir, the following message has been received from the Bengal Legislative Assembly:—

MESSAGE.

The Bengal Finance (Amendment) Bill, 1940, as passed by the Bengal Legislative Assembly at its meeting held on the 15th February, 1940, has been duly signed by me and is annexed herewith. The concurrence of the Bengal Legislative Council to the Bill is hereby requested.

M. AZIZUL HUQ,

Speaker,

Bengal Legislative Assembly.

CALCUTTA:

The 16th February, 1940.

Sir, I herewith lay on the Table the Bengal Finance (Amendment) Bill, 1940, as passed by the Bengal Legislative Assembly at its meeting held on the 15th February, 1940.

Notice by the Hon'ble Finance Minister, regarding Bengal Finance (Amendment) Bill, 1940.

The Hon'ble Mr. H. S. SUHRAWARDY: I have the honour to give notice that I propose to move in the current session of the Bengal Legislative Council that the Bengal Finance (Amendment) Bill, 1940, as passed by the Bengal Legislative Assembly, be taken into consideration and for amendments seven days' notice is necessary.

I request that you will be pleased to accept short notice amendments. I propose that if any amendment for circulation or reference to Select Committee be moved, I will oppose it.

Mr. PRESIDENT: Mr. Kamini Kumar Dutta, have you any objection to this?

Under the Bengal Legislative Council Procedure Rules, ten days' notice is necessary before it is taken up for consideration and for amendments seven days' notice is necessary.

Mr. KAMINI KUMAR DUTTA: Sir, the matter being a trifling one, we leave it to the Hon'ble Minister to decide.

Mr. PRESIDENT: So far as the Chair is concerned, it will have no objection to take it up earlier. So, it is settled that this Bill will be taken up for consideration on the 28th instant. Under the rules though seven days' notice is necessary for amendments, my office will accept notice of amendments till Friday, 3 p.m., so that the consideration may be taken up on the 28th.

Mr. NARESH NATH MOOKERJEE: Before we pass on to the discussion of the Budget, may I submit, Sir, that in consideration of the numerical strength of this side of the House, at least two members on the Select Committee should be from the Congress? But to-day some of the motions containing list of members comprising the personnel of the Select Committees moved by the Hon'ble Ministers contain the name of only one member from the Congress Group. May I, Sir, through you, request Government to give us the requisite number of seats on the Select Committees in future?

The Hon'ble Khwaja Sir NAZIMUDDIN: May I have my say, Sir? This is a matter which should be decided between the Whips of the different parties and if they fail to come to a decision, then only they should bring it to the notice of the Chair.

Mr. PRESIDENT: It is certainly for the parties concerned to settle it amongst themselves, but the President may also intervene under certain circumstances. Under Rule 56(2) of our Rules it is stated:

"The Minister in charge of the Department to which a Bill relates, the member who introduced the Bill and the other members of the Select Committee shall be named as members in the motion proposing the appointment of the Committee in such a manner as to represent, as far as possible, the different parties in the Council."

If I find that there is an abuse of this rule, I shall certainly interfere. But this is not the stage when this question should be raised. I think the Opposition parties and their leaders should consult with the Government party and its leader in order to determine the quota of adequate representation of each party and it should be possible to settle this matter amicably.

Mr. KAMINI KUMAR DUTTA: Sir, may I just make a request that whenever any Bill is sought to be introduced, before the actual constitution of the Select Committee is settled, the Whip of the Opposition also should be consulted not only as to the number but also as to the personnel, as occasions often arise when a change of members is necessitated.

Mr. PRESIDENT: Order, order. It is not so much for the President as for the members that a convention should be established amongst the parties in this House. Out of eleven members which might comprise a Select Committee, Government should have at least five, the Congress may have three, the European Group and the Progressive Group one each, and from the unattached parties there may be one. This is only my suggestion and nothing else. And further there should be a convention for the Government Whip in the case of Government Bills, and in the cases of other Bills also, to ask the Whips of the respective parties to select their own men. This is not a matter for the mover. Of course, he has the right to readjust but the general convention is that even in the case of non-official Bills, the Whip of the respective parties should consult the Government Whip as to who should represent the Government. In doing this he should not be guided by his own wishes but by the wishes of the party to which he belongs, though it is well-known the members are represented by their respective Party Whips. And that is the general convention that is observed. There is no definite rule on the subject. It is for the parties to see whether they should follow this convention.

Mr. MESBAHUDDIN AHMED: May I know, Sir, which Select Committee the honourable member is referring to?

Mr. NARESH NATH MOOKERJEE: I mean the Select Committee referred to by the Hon'ble Minister to-day.

Mr. PRESIDENT: There were notices of several Select Committees with the Congress, the main Opposition, not being properly represented on them.

The House will now proceed with the general discussion on the Budget.

General Discussion on Budget.

* **Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN:** Mr. President, Sir, that the Budget as presented does not disclose initiation of any ambitious scheme is admitted by the Finance Minister himself, and this he ascribes to financial stringency and necessity for precaution in view of war conditions in Europe. We, of course, realize the

necessity for precaution, but we think the Budget has been rather a bit too conservative and there are some items which call for comments. I propose to make comments not for criticism's sake but for offering constructive suggestions which may be considered by the Ministry in due course.

Sir, first of all, I shall take up the expenditure under the head "Education." The Finance Minister said that 5 lakhs for primary education in the cess-paying districts has been allotted this year, as was done last year. But, that this amount is hopelessly inadequate has not been fully realized. Sir, last year when this 5 lakhs was allotted there were only three districts in which free primary education had been introduced. As a result of gradual expansion the expenditure in those three districts will go up substantially. Besides, I believe such schemes had been taken up in other districts also. Therefore, Sir, instead of 5 lakhs I think near about 20 lakhs will be absolutely necessary if this free primary education which has been introduced in the districts, is to go on. Sir, in the district of Mymensingh alone, it has been calculated that this year they will require $4\frac{1}{2}$ lakhs as additional provision if they are to go on with the present number of schools. They have already got about 2,500 schools at the rate of one school for every 2,000 people. Their budget is for $12\frac{1}{2}$ lakhs of which from their cess they expect to get nearly 6 lakhs and Government's ordinary recurring contribution is about 2 lakhs. So another $4\frac{1}{2}$ lakhs is absolutely necessary if they are not to close down the schools, which they have already started. Besides that, Sir, another 1,000 schools will have to be opened if we really want that the number of students in primary schools is to increase. Sir, on account of the geographical difficulties, this standard of one school for 2,000 people will not be suitable everywhere. There are villages with only a population of 300 or 400 and within a radius of two or three miles there are no other villages. For such villages, Sir, you will have to make separate arrangements for schools, and also there are villages which are divided by big rivers and these too require separate arrangements to be made in respect of schools. It has been estimated that for the Mymensingh district alone, they will require another 1,000 schools. So I believe, Sir, that in Mymensingh district alone free primary education, as contemplated under the Act, will cost at least 20 lakhs of which only 6 lakhs is available from the cess and the remainder will have to be met from the Government grant. Sir, I know the financial difficulties of Government, but I want to point out, Sir, that Government ought to have tried this free primary education only in one small district before they took up other districts, in order to ascertain what financial commitments Government will have to undertake. Sir, now that in nine districts free primary education has been started I believe nearly a crore of rupees will probably be necessary for additional provisions like this, and this, no doubt, will be a

very ambitious undertaking. Without arranging for money provision, to give a start to a scheme is nothing but unbusinesslike. But at the same time, Sir, I realize the demand for free primary education and for that, I think, a lesser and more modest scheme Government should have gone in for. Government could have given liberally free studentships to schools for increasing the number of pupils in primary schools. For example, they could have said that every school that could increase the number of students beyond its present strength would get 4 annas for every additional student or something like that; that would have been more suitable and would have been more feasible and we would have been sure in that case of an increase in the number of students in the primary schools. Sir, I am very, very doubtful if these free primary schools, which have been started now, will not have the effect of reducing the existing number of pupils reading in the existing primary schools. So I say, Sir, that before taking further steps in the matter, 'Government should consider the pros and cons and should modify their policy', tentatively at least, before they come to a final decision about giving a full start to the scheme under the Act.

Sir, in the same way I find that for Debt Conciliation Government has increased the expenditure this year by 5½ lakhs without taking stock if they have got their money's worth returned for the money so far spent, e.g., by spending how much money they have dealt with how many cases or what amount of agricultural debts they have dealt with. What I believe, Sir, is that, after having spent one crore, probably Government will find that they have not touched even the fringe of the problem, that they have not cleared even 5 per cent. of the agriculturists' debts. So in this case also, Sir, I think a stock should be taken before starting Debt Settlement Board after Debt Conciliation Board. Moreover, Sir, the utility of these Boards would pass the period of their utility to a very great extent as soon as the Money-lenders Bill which will shortly be passed into law, is given effect to.

Then again, Sir, with regard to the Co-operative Credit Society, I find that the Government is increasing its expenditure on this also, although this department has become very unpopular. Sir, I understand it is the policy of Government now to utilise this Co-operative Society to deal with short-term loans and a few Land Mortgage Banks only. Sir, for short-term loans only, to have the luxury of a Co-operative Department is, I think, very extravagant. Sir, short-term loans can be very well distributed through paid Government officers just like agricultural loans, and the agriculturists could get the money at a cheaper rate of interest because they would get the money direct from Government. Whereas if they get it from the Co-operative Department, the Provincial Bank will charge some interest, the Central Bank will charge some margin and then the Society will charge some before it goes on to the cultivator. So the rate of interest will be more. At

the same time, the cultivator will be in the clutches of the office-bearers of the Society, who, we know from experience, are not always very honest and true men. I think, Sir, that the method of giving direct loan by Government to agriculturists might at least be tried. So, I would ask Government to try this in one thana of every district to begin with, and let them watch the result. If it is found to be not very successful let them give it up. I do not want the Government to hazard themselves for something unknown. As a matter of fact they have tried this agricultural loan business to some extent. Every year Government have been granting Rs. 15 lakhs, 20 lakhs or 30 lakhs as agricultural loan and from what we have heard from the Hon'ble the Finance Minister himself, this loan is realised almost cent. per cent., so there is no fear of Government losing any money in giving agricultural credit direct through their own officers instead of through co-operative bank.

There is another point. If we are to give agricultural loan through co-operative bank, then we will have to give this loan only to the members of the society and at the present moment at best only 20 per cent. of the agriculturist families belong to co-operative societies. The rest have not yet become members of the societies and if they are to be given loans through the co-operative department, then it will take 20 years to organise new co-operative societies through which every agriculturist who requires loan may be given loan.

- For these reasons I would urge Government that they should make an experiment in a few thanas. Let it be through their own co-operative officers. Let them not have separate officers. Let them employ co-operative officers and let them make an experiment directly in some of the thanas and find out the result before undertaking anything finally.

Sir, the question of solving the agricultural credit problem has been hanging fire for a very long time, and it is very deplorable to find that although Rs. 13½ lakhs was put down for agricultural loan last year through co-operative societies, this year it has been reduced to Rs. 5 lakhs. In view of the working of the Debt Settlement Boards and the passing of the Money-lenders Act we anticipate that the entire rural credit will dry up. Under these circumstances if instead of increasing the agricultural loan we decrease it to that amount, we do not know what will happen to the agriculturists. We believe it will be a great disaster and probably lands will lie fallow or the agriculturists will be compelled to sell off their lands to non-agriculturists for the purpose of securing money to purchase seeds for cultivating their lands.

As a matter of fact the figures of the Registration Department show that already the sale of lands has increased tremendously in comparison with the sale of the last two years and this is mainly due to want of credit facilities in the rural areas.

I now come to the Public Health Department. Here Rs. 7½ lakhs has been allotted for rural water-supply. So far as that grant is concerned it is all right, but here also we have not got any scheme. We are making some allotments every year in certain districts, but we have not arranged to see that we will be able to maintain the source of water-supply properly. It is not enough to stud the whole country with tube-wells. We must also make sure that they are re-sunk as soon as they go out of order, if we are to solve the problem of water-supply. My proposal is that we ought to have something like Water-supply Insurance Fund on the lines of the Famine Insurance Fund, so that the district boards may have after a certain time a certain amount of contribution or loan for repairing the wells. Without these things we do not know whether after making the people accustomed to use tube-well water we will not have suddenly to stop that source of water-supply, because we have not got sufficient money to repair the tube-wells. In this connection I think Government ought to establish a committee of experts and some representatives of the district boards and definitely decide upon some policy by which they can assure the future water-supply also and not merely the existing one.

We find that the Agriculture and Industries which are the two wealth-producing departments have been treated as niggardly as before. As a matter of fact, the Industries Department has been given one lakh less this year. I think we all know that agriculture has already become a losing concern now and unless 33 per cent. of the population, at least of the agriculturists, are diverted to industries or to some other work, the agriculturists cannot live on agriculture alone. At the same time we have also to increase the yield. Unless we increase the yield per acre, it will be impossible even by diverting 33 per cent. of population to make the agriculturists live on agriculture. We have calculated and found that the average income of a Bengal agriculturist is only Rs. 30 per head per annum and if we take away 20 per cent. at the top who are in better circumstances, the remainder will be left only with a pittance of Rs. 20 per head per annum. This is the situation in which we have been placed in Bengal.

In Japan they are producing 60 maunds per acre. In China the agriculturists are producing 40 maunds. I will not speak of Spain or Italy which grow a still larger quantity, but here in Bengal which is proverbially known to be the most fertile country in the world we produce at best 18 maunds, if not 16. On the authority of Sir George Watt we find that only so far back as 1867 Bengal used to produce rice on an average from 27 to 32 maunds per acre. The land of Bengal

has been deteriorating very fast, but we are still slumbering and have not awakened from our slumber. If we want to save the agriculturists who are the backbone of the country we must make a determined effort to increase the yield of the land by whatever means possible. Government should contribute liberally to the Agriculture Department and bring experts from foreign lands, if possible from Japan or from China, and try to increase the yield per acre of land. We won't believe that Bengal with its proverbial fertility can produce only 18 maunds as against 40 maunds in China and 60 maunds in Japan.

I was quoting Sir George Watt. In his book he mentions that in 1867 the average produce of Bengal, after enquiry, was found to be from 27—32 maunds per acre. It has become now nearly half and still we are not taking any action to arrest the deterioration of land.

Sir, we have passed a resolution that some of our experts should be sent to Japan to find out the cause of high yield there and less yield in Bengal. We do not know if in the detailed budget, any provision has been made for an expert in order to enable him to go to Japan for learning the cause of high yield there.

Coming to the Industries Department I must say that only a sum of Rs. 12 or 13 lakhs for this department is not all what is required. We have not only to look after cottage industries in order to give employment to the agriculturists but we have also to start medium size and large size industries for the benefit of the country, because, as I have said, at least 33 per cent. of the population will have to be diverted to live on industries. We know that it will be an ambitious scheme to industrialise the country and nothing can be done all on a sudden, but at least, I am of opinion, that a start should be made in this direction. An industrial survey was sanctioned two years ago and we have an industrial committee which has been working, but we do not know the result of its labour. We ought to know at least by now what are the possibilities of starting new industries in Bengal, what are the raw materials which go to foreign lands only to come back with prices trebled or four times enhanced. We must make preliminary enquiries to find out all these things, and a provision in the Budget should also be made for the training of our youths in foreign countries. They should be sent in large numbers every year for learning industries which would be possible to start in Bengal.

Another thing I should like to mention in this connection is that Government should give incentive to the industries of this country. If Government are determined to use only India-made articles or Bengal-made articles in their offices in preference to foreign-made articles that will serve the purpose to some extent. Government should also start a propaganda for using home-made articles, so that people may prefer to use them. Unless Government take an active part to industrialise the country, we cannot expect that our country will be turned

into an industrial country all on a sudden. We want Government to consider this and provide at least some money for the preliminaries in connection with industrial and agricultural regeneration of the country.

I welcome the proposal which the Hon'ble the Finance Minister has incidentally made of imposing taxes in future for the benefit of the country. I should only request him that taxes should be of the nature of indirect tax, so that they may not touch the people who will be paying them. An indirect tax is the most suitable tax. If it is paid by the consumer in the shape of sales tax he does not feel the burden of it. He thinks that it is due to fluctuation of market rates. I think the Hon'ble the Finance Minister will consider this and he will earmark the receipts from this tax for industrial and agricultural advancement of the country.

With these words I conclude my remarks.

Mr. J. B. ROSS: Mr. President, Sir, I have much pleasure, on behalf of the European Party in this House, in offering our congratulations to the Hon'ble the Finance Minister on the Budget which he has produced for the ensuing financial year. There is a tendency in abnormal times such as those in which we are now living to regard the quickening of industrial and commercial activity and increased revenues which result therefrom as a normal development and to press on Government to expand their nation-building and other schemes on the assumption that these increased revenues may be regarded as a permanency. It is a matter of satisfaction to this party that the Hon'ble Mr. Suhrawardy has not only not fallen into this error but has pronounced a definite warning as to the inevitable occurrence of a slump in business conditions after the war ends, whenever that might be—a view with which the European Party is in entire agreement.

The Finance Minister is, therefore, to be commended for the caution which he has exercised in producing his first Budget and for the conservative nature of this Budget. In budgeting for a deficit of 57 lakhs on the working for the next year, *plus* a further deficit of 26 lakhs in the capital and debt deposit section, it is satisfactory to note that the expenditure programmed for Education, Public Health, Medical and other nation-building schemes shows an increase over the revised estimates for the current year, the Finance Minister not having found it necessary to curtail the expenditure on these commendable projects because of the fact that he is budgeting for a deficit. I think, however, that the Hon'ble Finance Minister in drafting his Budget has rather underestimated probable receipts under several heads of revenue, notably the jute duty and the provincial share of income-tax. There is little doubt that, under present war conditions and also assuming that these war conditions will remain in force throughout the year, jute exports must show a considerable increase over those for the

year 1939-40, and it is the opinion of those who are prepared to take a view that a further 20 to 30 lakhs of revenue may be looked for from this source over and above the amount already budgeted for.

In the case of income-tax, in spite of the recent pronouncement of the Government of India that railway contributions to the general revenues will not be taken into account when determining allocation of income-tax to the provinces the latter will, I understand, receive a share of the Excess Profits Duty now under the consideration of the Central Assembly, and this should enable the Hon'ble Mr. Suhrawardy to anticipate some margin over his figure of probable income under this head.

It is not, therefore, beyond the bounds of possibility that the anticipated deficit of 57 lakhs may not in fact materialize.

Nevertheless, it is with satisfaction that we note the decision of the Hon'ble Finance Minister not to impose new taxes pending a detailed survey of new sources of revenue.

This is an attitude of caution which we in this group fully appreciate and we venture to express the hope that, as the year progresses, he will not find it necessary to do other than record for future reference any new sources which may be considered suitable.

One point in the Hon'ble Minister's speech when introducing his Budget which should commend itself to all sections of this House is the decision to open a Training Camp for theoretical and practical training of a number of Circle Officers in the problems and practice of rural reconstruction. This is a step in the right direction. There is very little doubt that large sums of money can be frittered away quite uselessly when the personnel responsible for the carrying out of such schemes lack the necessary training, and Government have done well to take note of this. I would go further and recommend that such officers should be compelled to take refresher courses every three years. I have a further suggestion for the consideration of Government, and that is enlightenment by suitable propaganda of the enfranchised rural population on practical politics.

For the last decade these people have been fed fulsomely with the doctrines of debt evasion and confiscation of property until their outlook to-day is that these practices are the natural evolution of responsible Government. As an example, quite recently a prominent Bengal politician was discussing with some of his constituents the implications of "Dominion Status" and "Independence." The people to whom he was speaking were all against Dominion Status on the ground that it postulated a continuance of the British connection and to use their own words, "We won't be able to get possession of the jute mills and coal mines." Propaganda of the right kind preach amongst these people

would soon educate them towards a healthier perspective of the real benefits to be derived from responsible Government, and I recommend this suggestion for the attention of the Hon'ble Minister who can rely on the support of this party generally on his Budget proposals for 1940-41.

Mr. K. C. ROY CHOWDHURY: Mr. President, Sir, I do not mean to take up much time of the House in discussing the details of the Budget which is presented every year for the atmosphere created is very dry and dull one. As Mr. Ross has pointed out very rightly, that propaganda in industrial areas is necessary for the benefit of the working classes in order to remove their misunderstanding and ignorance on the subject of politics, especially in view of the present issue of "Independence" *versus* "Dominion Status," and I would like to see that the Hon'ble Mr. Suhrawardy provides funds for this purpose. Without any provision for such a scheme, all the enquiries through Police officers and friendly Labour Unions is not of much use. Sir, we have the bitter experience of the communistic campaign launched in the mill areas and their effects, and such is the case in the coalfields in which my friend Mr. Ross is interested. The terrible consequences of such a propaganda, as we see, very often result in the most devastating strikes for no real grievances, accompanied by huge loss of wages and the idleness of the workmen for weeks and months without any relief whatsoever. We have also seen hundreds of jute millhands losing their jobs through this abominable propaganda with no chance of their reinstatement. Such a state of affairs exists in the coalfields, situate though not in Bengal but in the neighbouring places. I therefore request the Hon'ble Mr. Suhrawardy to see if funds can be provided for counter-propaganda in the industrial areas.

Dr. RADHA KUMUD MOOKERJI: Mr. President, Sir, at the outset I wish to offer my congratulations to the Hon'ble the Finance Minister for the extremely business-like manner of his presentation of the Budget for the year 1940-41. My congratulation is also due to the fact that the present Finance Minister has produced the Budget under exceptionally difficult circumstances. And I believe I shall be voicing the opinion of the entire House if I venture to communicate a word of sympathy to him for the arduous duties he has been carrying out under the depression of a dire domestic tragedy, while these duties are further complicated by the circumstances created as a result of the war that is being waged in Europe. It is not for me to quarrel with the details of the Budget. It is impossible for any member of the Legislature who is outside the Government circles to be able to offer any manner of suggestions with

a view to effect any modification of the details of the Budget that has been presented. These details are so welded together that they produce a system, a sort of a balance and an equipoise which cannot be disturbed by any offhand criticism. Especially the Upper House must feel its sense of inferiority in being constitutionally deprived of the privilege of being able to exercise any sort of influence upon the details of the Budget that is presented by Government. Still I should like to offer a few observations with reference to these very details although I know that I shall do it in a loose manner. I feel like Tennyson's *Brook* which exclaims, "Men may come and men may go, but I go on for ever." So, budgets come and budgets go but the condition of the province remains the same as before without any light from any quarter being thrown upon the very difficult conditions which the country is passing through. Frankly speaking, this Budget appears to me to reflect only the stationary conditions. It has no element of dynamism or improvement. It is absolutely a static Budget. I do not like to blame however, the present Finance Minister who has hardly had any time to produce any Budget of a new type which may reflect the well-being of the province as a whole in every direction. Yet at the same time I feel that the Budget reveals certain features in the common life of the province which ought to be brought to the notice of the Government.

For instance, running over the pages of the Finance Minister's Financial Statement, on page 3 I find that there is an improvement under the head "Revenue receipts" on account of Excise. Now on this point alone the Bengal Government cuts a very sorry figure as compared with some other provinces which have introduced Prohibition and do not like to treat Excise as a possible source of revenue. Of course, Bengal intrinsically is foremost in the matter of Prohibition because, without any special administrative effort made on this account, the people of Bengal are very, very abstemious, if I may say so, and they are not addicted to the evils of drink which call for Prohibition as is the case in other provinces. It seems that the average revenue receipt on account of Excise represents about a crore of rupees as against 5 to 6 crores shown in other provinces' Budgets, and therefore, once the Finance Secretary—about two years back—was pleased to make this general observation that the Excise revenue is a very good index of the high level of morals of the people of this province. I do not, therefore, wish to see any increase in the Excise revenue; even if it is for relieving the difficulties of deficit Budgets. On the other hand, although as an accountant the Finance Minister has found some pleasure in the fact that certain heads of expenditure are showing hopeful signs because the expenditure budgeted for has not been incurred, I find no pleasure from the fact that the subjects on which expenditure should have been incurred are subjects

connected with nation-building departments. For instance, it has been remarked that there is a very slow progress in the execution of certain irrigation projects; and then again certain projects about public health. These projects have not been completed with the result that the Budget under public health shows decrease of expenditure.

All these really amount to reflection on the administrative efficiency of the departments concerned. The departments concerned must live up to their means and must not come to the Legislature with their accounts showing that they are unable to spend the money that was granted to them. This is not the way in which these great subjects affecting public welfare should be handled.

Now as regards jute export duty, the Finance Minister has been pleased to make the observation on the basis of expert opinion that the stoppage of export of jute to the belligerent countries like Germany, Poland and Czecho-Slovakia will ultimately be a matter of loss to India. Well, I think and as Mr. Ross has already pointed out that if jute duty account is properly gone into it will be found that the province cannot suffer economically and on the whole the province will gain very much more than has been anticipated on account of jute.

Then again, I find that saving to the extent of Rs. 10 lakhs on account of the medical needs of the province has been made for the reason that the working out of details of some of the larger projects for which provisions had been made in the Budget has not been carried out in time. Now this sort of accounts showing that the budgeted expenditure has not been spent, has not been availed of by the departments concerned is really a matter of grave concern to the Legislature sanctioning the budget.

Similarly, Irrigation Budget shows a saving of 4 lakhs owing to the non-utilisation of the provisions of the Waterways Board and there are also other savings on this ground. I fully realise that there are administrative difficulties in the way of formation of schemes for expenditure. I do realise that Government cannot embark upon expenditure merely because expenditure has been budgeted for. But at the same time when Government ask for a particular grant, they must be ready beforehand with complete schemes, so that what is required is to compete the schemes. They should not come prematurely before the Legislature with certain unbaked schemes and then at the end of the year report that they are unable to live up to the expenditure sanctioned.

In connection with irrigation we have the greatest complaint because I myself was very very fortunate to be able in one of the earliest meetings of the Legislative Council in bringing forward a resolution on the subject which was accepted unanimously by this

House. My resolution referred to the formulation of a comprehensive irrigation scheme for the whole of the province by the appointment of an Expert Committee and a committee comprising of members of the two Houses. Although this resolution was passed in the Council unanimously and although nearly about three years have elapsed since the passing of that resolution, no action has been taken by Government, and I believe, no move has been made in the right direction as regards the formulation of this scheme. Meantime while the Government of Bengal are content with an Irrigation Budget of about Rs. 55 lakhs, our sister provinces are forging ahead in a spirit of adventure. The Punjab Government has just completed their irrigation scheme at a cost of Rs. 37 crores whereby a third of the Punjab which was an arid desert has been converted into a smiling garden. Similarly even in the United Province the total expenditure on irrigation up till now exceeds Rs. 25 crores, whereas in Bengal although we have started with certain natural advantages in the way of irrigation, and although we have the great gift of abundant rainfall as a source of natural irrigation, yet we have been unable to utilise our natural advantages by not doing what is required. What is most needed for the province is a comprehensive scheme. We do not want to have a "Bijoy cut" here or an "Anderson cut" there. What we want is a comprehensive scheme for all parts of the province which suffer from alternative drought and flood, from scarcity of water or excess of water. All parts of the province should be equally treated so far as irrigation facilities are concerned by scientific planning. Now the reply of this department has always been first to call a conference so that the question may be shelved and then slowly to make their way towards certain schemes. I find now that they are making a contour survey of Northern Bengal at a cost of Rs. 4 lakhs instead of 400 lakhs.

Now what is the upshot of all this. Every year we are being confronted with merely budgets for the upkeep of the establishment. There is no provision for any improvement of any kind. The department is simply keeping up the establishment somehow, whereas in other sister provinces they are all inspired by a kind of idealism which make them go boldly for large schemes and they do not shrink from the responsibility of financing those large schemes. I therefore think that although within the limits of the Budget matters are fairly arranged, and so far as the accounting part of the Budget is concerned, it is quite above board and no auditor can take any objection to the accounting, I find from the point of view of real statesmanship the Budget really falls grievously short of the fundamental requirements of a progressive province like Bengal. Therefore I say that really the members of the Legislature are absolutely helpless in trying to modify any of the details of the Budget.

There is really a rigid framework within which our finances have to be adjusted, but what is needed is not the framework, but quite a different principle, a different outlook by means of which a different framework could be devised whereby the real need of the welfare of the masses can be promoted. Now, the prime need of Bengal, as I said is the uplift, the betterment of the lot of the greatest number, namely, the millions of our agriculturists and we have already found by special investigations how dire is the lot of the poor tiller of the soil. The poor tiller of the soil has got all the advantages that ordinary administration can give him. He is not suffering from any kind of rack-renting. He has already got all the rights of proprietorship which have been transferred to him by the Bengal Legislature and to-day I make bold to assert that the Bengal peasant compares more favourably with his fellow-peasants in other provinces in India, where there are far greater difficulties in their way and yet with all these advantages the Bengal peasant can hardly earn his bread and why? Because, he is unable to have the full quantity of produce out of his holding and that only for the fact that the improvements which are necessary for agriculture, the improvements which come from schemes of irrigation have not yet been undertaken by Government. I therefore say that we are really very, very careless about improvement of our agriculture and the condition of the masses.

Now, as I have said, mere attention to the details of the Budget will not carry us very far. I therefore propose to indicate certain general lines on the basis of which, I hope, the Budget of the future should be framed. The initial difficulty of the finance of the province is the disproportionate expenditure that is devoted to the administrative departments as distinct from the nation-building departments. I have calculated that out of a revenue of Rs. 13 crores nearly a half is absorbed by establishment. Civil Administration, General Administration, Administration of Justice and Police, these alone, that is to say, the Executive, Judiciary and the Police, absorb nearly a half of the total revenue of the province. We have been rather impressed by the great efforts that some of the first class powers of the world to-day are making in their struggle for their existence, but the greatness of every nation depends upon its Budget and if you study the Budget of a progressive country like Japan, or England, or even Ireland, you will see that mere establishment as such does not absorb such a large proportion of the total revenues of the country. If we compare the Budget of a department like the Police which takes over nearly two and a half crores with the Budget for Education, what do we find? We find that we are spending on education only rupees one and a half crores. Even the Police is getting more patronage from the hands of the Government than the cause of education, higher, lower and secondary.

Similarly the Medical Budget is given Rs. 58 lakhs in a total Budget of Rs. 13 crores. Of course I am giving only approximate figures. Pray do not take them as exact figures: these are available on a reference to the Budget.

Similarly the prime needs of public health in a notoriously insanitary province are being served by a modest sum of Rs. 48 lakhs.

Similarly agriculture, the national key industry of Bengal, is given a short shrift by a grant of only Rs. 17 lakhs. Think of the crores that are spent in other provinces. I need not multiply examples. When a pot of rice is being boiled, it is not necessary for you to examine all the bits of rice to see whether the rice in the pot has been boiled. I have given you certain sample facts to show the inadequacy of the provisions of the Budget.

Now, I come to the main problem which is really the problem of problems for Bengal's finance. It is impossible for any province to effect any kind of national improvement in any direction on the basis of its financial position which is revealed by a comparison of the figures for other provinces. On this subject, I might quote from a Government document. These simple facts will at once be able to convince you that the province has absolutely no future unless the budget is thoroughly overhauled and the principles on which it is framed are radically changed. What hope could there be for a province with a large population but with too small revenue? As a historian you to look back with me for about ten years to trace the past history of this province. Let us examine the financial position from 1928. In 1928-29, Bombay with a population of 19 millions, was able to secure by representations to the Government of India, a residual provincial revenue of 15 crores, and Bengal during that year with a population of 46 millions was content with only 11 crores. Now, believe you are all students of simple arithmetic. You please consider this primary financial position. How on earth could Bengal cater for the need of a population of 47 millions with a bare revenue of 11 crores, while Bombay with a population of 19 millions, nearly less than half of Bengal's population, could get a revenue of 15½ crores? Then came the separation of Sind, and to-day Bombay has got a revenue of 13 crores to do duty for 15 millions; whereas to-day—I may anticipate the census of 1941—we are 55 million strong with a revenue of nearly 13 crores. Indeed, Sir, the progress of population is far out-stripping the progress of material and financial resources. To-day our difficulty is how to make these 13 crores to go round a population of 55 millions. In Bombay they have got a revenue of 13 crores to do their duty for a population of 15 millions, which is less than one-third of Bengal's population. Similarly, Madras, with a population of 42 millions, has a revenue of 18 crores, and the Punjab with a population of 20 millions has a revenue of 12 crores, and so forth and so on.

Now, the question is, how can the Finance 'Minister' manage against these heavy odds. These are heavy odds indeed! And therefore our Finance Minister cannot surmount the difficulties that stand in the way by a simple manipulation of the Budget or appropriations of the details of the Budget. What is needed is that, as was stated by the last Government, Bengal needs help at the hands of the Centre, and Bengal as province must stand up against the injustice of federal finance. The hopelessly inadequate distribution of revenues between the Centre and the provinces—and that is the original sin from which we Bengalis are suffering—is at the root of much of the present poor condition of this province. Here there is no ground for any communal difference amongst the people of Bengal. The whole of Bengal is involved in a common ruin unless the primary financial adjustment with the Centre is immediately rectified by the pressure of a united Bengali nation through their national Government. I am using the very words that were used by the Government of Bengal under the Old Dispensation. The first point before the Government of India was "the hopelessly inadequate distribution of revenue as between the Centre and the Provinces," and the grounds on which this statement was supported I have already explained. Now, as a result of this extremely unjust financial adjustment against Bengal, if you study the course of the Budget for the last ten or twelve years, say from 1921 to 1933, comprising more than one decade, you will find the huge deficits that Bengal had to face during this period and she had to suffer a loss of more than ten crores of rupees. This is all due to the iniquitous Meston Award and all this money Bengal had to find by means of additional national sacrifices, which she did by means of additional taxation. Now, when the national revenue is so inadequate for the requirements of the people in every direction you will find signs of decline and deterioration, and the accumulated effect of all the inadequate Budgets tells heavily on the people and on their activities.

Now, let us take the Budget of Education, which is the most potent agency of uplift that a country can conceive of. What future can there be for a province where the percentage of literacy is 3, and the average income is 3 annas per head. Education is the primary need of the province. Now, since 1921, whereas Bombay spent about 20 annas Bengal was spending only 5 annas per head. The expenditure per head on education in Bengal has been the modest sum of 5 annas. My point, therefore, is that to be born a Bengali is due to some misdeeds committed in previous births in which we, Hindus, believe. I think that to be born a Bengali is a serious handicap. No wonder that the Bengali is going to the wall in competition in various spheres of national service.

Similarly, the health of the Bengali is deteriorating, and the cause of this decline is to be sought not in any academic theories.

The tale of the decline of the national health and the physique of the Bengali is very depressing. Whereas provinces like Bombay and Madras can spend at least 8 annas per head on Medical and Public Health, in Bengal the Government can hardly spend 2 annas.

But there is one matter on which no doubt Bengal takes the lead amongst the provinces of India, and that is as regards the provision for Law and Order. Of course, the Bengal Government knows how rigorously to insist on Law and Order and, therefore, the expenditure in Bengal on that score is very, very high indeed, as compared with the provinces like Madras.

Now the question is, what are we going to do? The Hon'ble Finance Minister had referred to the Jute Export Duty. As you know, originally the whole of this export duty was appropriated by the Central Government. As a result of the manly fight put up by the late Government the Government of India relented and first of all half of the net proceeds of the duty on jute exports, a legitimate provincial revenue, was surrendered to Bengal on account of the tale of financial woes showing deficits totalling more than ten crores of rupees. Then, after that we got a further concession, by which the jute export duty now shared by Bengal, amounts to 62½ per cent. of the total yield. But I suggest that on grounds of unimpeachable principles of federal finance there is no case whatsoever for treating the duty on the export of jute as a federal source of revenue. On this subject I had better quote the words of the Peel Committee which was appointed by the Round Table Conference to go into the subject. The Peel Committee's definite recommendation was: "If there is to be an equitable apportionment of burdens and smooth working of the constitutional machinery, the federal resources should, as far as possible, be confined to revenue derived alike from the inhabitants of the provinces and all other States and which can be met either without any action on the part of the individual State or by any agreement of a simple character readily enforceable. Obviously, the principle that was laid down by this expert Peel Committee militates against the levy for federal revenues of a duty on jute which is a product derived solely from Bengal and two other provinces. And therefore, I think that by the same fight by which we got Federation to concede to Bengal a large portion of this export duty by showing a still greater fight we should be able to annex the whole of this jute export duty.

Now, the second grievance of Bengal with regard to her financial position is the income-tax receipts. Members must be aware that of the total income-tax receipts available for the Government of India as a whole, 36·2 per cent. is subscribed by Bengal. Now this province has been bled white and has been drained dry for the benefit of the Centre. Pray, by this, do not think that Bengal is a poor province intrinsically,

the gross revenue of Bengal amounting to about 39 crores of rupees. Of course, our humdrum budgets make no reference to this fundamental fact of our national finance, showing that Bengal intrinsically is the richest province in the whole of India. But she has been rendered the poorest province to-day by manipulation of Federal Finance and has been asked to shift for herself with a revenue of 13 crores of rupees for a vast population of 55 millions. Of course, there is the objection taken that the whole of the income-tax receipts which Bengal supplies to the Centre should not be credited to Bengal, because it is alleged that a portion of the income on which the tax is levied is attributable to business in the up-country which flows through the port of Calcutta, so that the port of Calcutta serves merely as a sort of post office through which orders are executed. While I am prepared to make an allowance for this aspect of the income-tax revenue derived from Bengal,—let me here quote the exact words of the late Government of Bengal on the subject. “Even on a fair weightage the share of Bengal in the income-tax receipts must have been very great as compared with that of the other provinces. Moreover, the tax represents practically the whole benefit of the revenue derived from provincial industries. It is, therefore, desirable, continues the Government memorandum, that a good part of the income-tax should be available to the province from the very inception of the new Constitution.” I do not like to tire you out with details of the economic discussion on the subject of the income-tax revenue. Fundamentally the position is that Federation has not seized just those sources of revenue in Bengal which are somewhat rigid, inelastic and incapable of expansion. I think this business should have been proceeded with in quite a different way. The Imperial Government should have tried first to assess the total federal burden for the whole of India and then having assessed that burden they should have distributed equally this burden among all the provinces on the basis of per head of population. Then in that case Bengal might have been confronted with the burden of furnishing a certain proportion of the total federal demand and Bengal should have been left with sufficient fiscal autonomy to be able to arrange to remit to the Government of India the share that was due from Bengal as its federal contribution and if Bengal were left free to meet the financial burden, then I think Bengal would have proceeded with this business in a different way. Here what is done is this. The Federation has laid its stranglehold upon Bengal's national life and financial resources. It says practically, “you must mortgage to us all the fertile sources of your revenue and then as regards the welfare of your people you look for yourselves as best as you may with other sources of revenue which are not at all capable of growth or expansion.”

Now is this a fair deal? The whole province has been impoverished, and I am afraid that all the idealism which inspires the members of the party opposite and the members of my own party, all the national

idealism that inspires us in this House, all that idealism will go for nothing because we are not able to secure the financial basis on which alone this ideal and nationalism can materialise. There will be no hope for the province unless it can get its fair share of revenue with reference to the needs of its expanding population. You cannot do in Bengal with a third of revenue of the Bombay Presidency and unless a national fight is kept up continually against Federation I am afraid, the future of Bengal will be entirely blighted.

I do not like to prolong my remarks. But before I sit down I wish to assure the Finance Minister that if I have indulged in any criticism (not a carping criticism), I have no intention at all to add to his difficulties. I have only made certain observations on the basis of which I think the Government will be able to do the needful. As I read our national situation it is indeed desperate and mere manœuvring of provincial finance or mere piecemeal appropriations in the Budget will not avail us at all.

Mr. HUMAYUN KABIR: I should at the outset like to associate myself with the remarks which have been made by Dr. Radha Kumud Mookerji with regard to the bereavement which has befallen our Finance Minister and I can assure him that irrespective of political opinions he has the sympathy of all sections of this House in his great burden which he has to bear. This, Sir, makes our task to-day a little more difficult, for in commenting upon the Budget which has been presented before this House, there are two factors which we cannot forget. To one I have just now referred and the other is extremely short time which the Hon'ble the Finance Minister had before he could prepare his plans. These two factors must therefore to a certain extent make it difficult for us to make observations with that amount of force which otherwise the Budget really calls for.

Before I come to the critical part of my remarks I would also like to congratulate the Finance Minister for the very workmanlike way in which he has presented the Budget. The Budget and the statement are clear and concise and from that point of view also he deserves the congratulation of all the members of this House.

After saying that, I am afraid that the grounds of congratulation are almost exhausted. Almost I say purposely, because there is at any rate one other item on which I think he deserves the congratulation of members of this House, but I shall reserve my remarks on that point for the present.

The first feature which every student of the budget must have remarked is one to which the Hon'ble the Finance Minister himself refers, namely, the extremely conservative character of this Budget. One might go further and say that it is not merely a conservative Budget, it is a reactionary Budget.

[21ST FEB.,

In a conservative Budget we conserve what we have already achieved. In the Budget which the present Finance Minister has presented, there is not even the conservation of what little we had achieved in the course of the last three years. Little enough was done in the past but even that little is now largely undone. We have here to consider also the grounds which have led the Hon'ble Finance Minister to go back on the provisions of the previous Budgets in this way and to frame a Budget which is less progressive than the Budgets to which we have been accustomed in the last two or three years.

There is a great deal of reference in the budget about the war. It has been said that we are living in very unusual times, we are living in very uncertain times and we may soon expect the slump which is almost invariably a consequence of the war. I would here remind him of the fact that even though it be true that war is always followed by slump, or at least had been so followed in the past, this does not in any way take away from the validity of the fact that at the moment there is no suggestion of a slump in Bengal. On the contrary, the general industrial and economic life of the country has been quickened in a way which it has not been the good fortune of any other Finance Minister to meet in the course of the last few years. The Hon'ble the Finance Minister is keenly aware of the fact that the prosperity which Provincial Autonomy seemed to usher in Bengal about three years ago is likely to decline and that we have almost passed the good days, financially speaking, of Provincial Autonomy. But, I think, Sir, here he is doing less than justice to himself, for he has anyhow been privileged to frame his Budget at a time when the economic position of Bengal on account of this war is in a much better, much happier position than it would have otherwise been. I can agree with him that but for the war the present financial position of Bengal might have been weaker. On account of the war, the position has been improved and to argue that just because there may be a slump at the end of the war, nobody knows how long the war will go on (it may last for 3 years, 5 years or 10 years), there is no reason why on account of a future slump which might follow, we must to-day curtail our expenditure on subjects which are of urgent necessity in the nation-building departments of the province. I may be permitted in this connection to say that our Finance Ministers seem placed between the horns of a dilemma. We are very often told that the present condition is very bad, and therefore, there can be no budgetary provision for any increase in the expenditure on the nation-building of this province. The Hon'ble the Finance Minister has to-day supplied us with the other horn of the dilemma. To-day we are prosperous no doubt, but whenever there is prosperity, days of adversity will follow in the inevitable revolution of the wheel of future. Because this adversity will follow, therefore we need not indulge in the expenditure in the nation-building departments though we have a prosperity budget now. Because to-day we are prosperous,

adversity may follow to-morrow, and we should not incur expenditure for nation-building departments! To-day we are not in a slump, therefore funds are available, but we cannot yet budget for nation-building expenditure. I think the only conclusion which can be legitimately drawn from this dilemma is that there can never be any adequate expenditure for nation-building departments. I submit that this dilemma is just as fair or just as unfair as another dilemma which we might put to the Finance Minister. We may follow his own argument and say, "No doubt we are to-day suffering from adversity on account of a revolution in the wheel of fortune of our country, but we shall have days of prosperity in future therefore we can budget for increased expenditure in anticipation of future prosperity." If anticipation of future adversity prevents us from undertaking expenditure which is necessary for nation-building to-day, I do not see any reason, why anticipation of future prosperity will not enable us to make provision for increased expenditure.

This, Sir, I admit is only a debating point. The fact remains that to-day the position of Bengal, may the position of India as a whole, is particularly strong and the war is one of the factors which is responsible for this increased strength in the financial position of the country. India is primarily an agricultural country; it is primarily a country which is producing raw materials for the rest of the world. It is inevitable that these raw materials will be in demand by all the nations of the world which can get access here. If we are to believe the contention of the British that they have been able to make secure the lines of their communication, that there are no difficulties so far as transport of commodities are concerned, then there is no reason to suppose why the agricultural commodities, why the raw materials of India, and particularly of Bengal, shall not be transferred to those countries where there is demand for them.

Again, Sir, there is another side of the picture. There is moreover the contention that most of the industrially advanced countries of the world have to-day diverted their resources to the production of armaments, to the production of elements which are used for the destructive purposes of the war, with the result that many of the commodities which we need cannot be supplied by those countries. Even if all the communications are guaranteed, even if all the ships are available, even then many of the commodities to which we have become accustomed, many of those articles that have become necessities cannot be supplied by foreign countries. Consequently it is inevitable that the supply will naturally be stimulated in Indian markets. Therefore, Sir, in the very near future, we can look forward to the growth of new industries in India, we can look forward to a very large-scale industrialisation of India as a whole and Bengal in particular. Here also there is, I think, room for optimism. This war has not in any way affected adversely the economic life of the province; the agriculturist

is now well-off, price of jute has gone up and prices of all raw materials have gone up. Excess profit duties are looming large on the horizon. Speaking from the point of view of finance, from the point of view of industry and commerce, the position of Bengal to-day is extremely happy. The market for raw materials is assured. The demand for finished product is there and this demand is not being met by the countries which formerly met them and therefore industries should develop here. With such a prospect, such a future before him I think the Finance Minister might have been a little more daring. I expected him to show a little more daring, because even his worst enemies will not say that he suffers from lack of dash. If he has shown this daring in other sphere, why in this particular sphere of activities also some amount of daring should not be in evidence?

Coming then—

Mr. PRESIDENT: Order, order. You will continue your speech to-morrow.

Adjournment.

The Council then adjourned till 2-15 p.m. on Thursday, the 22nd February, 1940.

Members absent.

The following members were absent from the meeting held on the 21st February, 1940:—

- (1) Khan Bahadur Naziruddin Ahmad.
- (2) Mr. Nur Ahmed.
- (3) Rai Bahadur Keshab Chandra Banerjee.
- (4) Mr. Humayun Reza Chowdhury.
- (5) Mr. Narendra Chandra Datta.
- (6) Mr. Mohamed Hossain.
- (7) Khan Bahadur Syed Muhammad Ghaziul Huq.
- (8) Maulana Muhammad Akram Khan.
- (9) Mr. W. B. G. Laidlaw.
- (10) Mr. H. G. G. Mackay.
- (11) Mr. E. C. Ormond.
- (12) Mr. H. P. Poddar.

THE BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Thursday, the 22nd February, 1940, at 2-15 p.m. being the third day of the First Session, pursuant to section 62 (2) (a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

QUESTIONS AND ANSWERS

Allotment of seats for the Bengal Legislative Assembly.

15. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state if the present allotment of seats for the Bengal Legislative Assembly shall be altered or modified on the basis of the suggestions embodied in the Bengal Reforms Commissioner's report as incorporated in the report of the Reforms Office, Bengal, 1932-37?

(b) Has the attention of the Hon'ble Minister been drawn to the various recommendations and suggestions made in that report? If so, what are the main recommendations and suggestions and how far does he intend to give effect to them?

(c) Is it a fact that the Reforms Commissioner has shown in this report that the district of Chittagong should have one more Moslem seat on the basis of the number of Moslem voters? If so, has the Government decided or intends to allot one more Moslem seat to Chittagong? If not, why not?

(d) Is it a fact that a case was made out for inclusion of Chittagong in the Moslem Women's Constituency of the Bengal Legislative Assembly? If so, does the Government intend to include Chittagong in the Moslem Women's Constituency of the Bengal Legislative Assembly? If not, why not?

(e) Does the Government intend to create a special Moslem seat in the Bengal Legislative Assembly for the representation of women in the urban areas of Chittagong, Dacca and Rajshahi Divisions? If not, why not?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Khwaja Sir Nazimuddin): (a) No.

(b) Yes. A summary of recommendations is given on pages 256-260 of the Report. These have been considered by Government and necessary action has been or is being taken.

(c) Yes. No. The power to do so does not rest with Government.

(d) and (e) The suggestions to include Chittagong in the Muhammadan Women's Constituency of the Bengal Legislative Assembly and to create a Muhammadan Women's Constituency comprising the Dacca, Chittagong and Rajshahi Divisions were duly considered and rejected by the Provincial Advisory Committee on the delimitation of constituencies. These were also brought to the notice of the Indian Delimitation Committee. The delimitation of constituencies has been finally provided for in the Fourth Schedule to the Government of India (Provincial Legislative Assemblies) Order, 1936, on the basis of the recommendations of the Indian Delimitation Committee. No alteration in this Schedule can be made by the Provincial Government and it is not proposed to reopen the question.

Khan Sahib ABDUL HAMID CHOWDHURY: With reference to reply (c), will the Hon'ble Minister be pleased to state with whom the power rests?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It rests with His Majesty's Government.

Indirect election to the Bengal Legislative Council.

16. Rai Bahadur SURENDRA NARAYAN SINHA: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state what procedure will be followed in the indirect election of the members of the Bengal Legislative Council by the members of the Bengal Legislative Assembly to fill up the vacancies that will occur in April, 1940, as contemplated under section 61 (3) of the Government of India Act, 1935?

(b) Will the election be treated as a by-election to fill up the casual vacancies or as a general election?

(c) Will the Bengal Legislative Assembly as a whole vote for all the members to be so elected or whether only the members of the general community will be entitled to vote for filling up vacancies in respect of the seats hitherto filled up by members of the general community while members of the three other communities will vote for seats which had been filled by members of their respective communities?

(d) Out of the nine Council seats which will fall vacant, how many will belong to the general (Hindu) community, how many to the

Muslim community, and how many to the European community? Is it proposed to alter the present distribution of these seats as between the different communities?

(e) Will any member of the Assembly who wants to stand for the coming election to the Upper House, have to resign his seat first to be qualified as a candidate?

(f) Will the voting be in accordance with the system of proportional representation by the means of single transferable vote? Will each M.L.A. be thus entitled to exercise nine votes in order of preference?

(g) What is the present strength of the Assembly?

(h) What will be the "quota" for election?

The Hon'ble Khwaja Sir NAZIMUDDIN: The hon'ble member is referred to—

(a) Parts VI and VIII of the Bengal Legislative Council Electoral (Conduct of Elections) Rules, 1936.

(b) Notification No. 214A.R., dated the 10th February, 1940, published in the *Calcutta Gazette Extraordinary* of the same date.

(c) Rule 85 (2) of the Bengal Legislative Council Electoral (Conduct of Elections) Rules, 1936, and notification No. 215A.R., dated the 10th February, 1940, published in the *Calcutta Gazette Extraordinary* of the same date.

(d) Notification No. 674A.R.—D., dated the 24th May, 1937 (pages 254-255 of the Bengal Legislature Manual, Volume II)—it is not proposed to alter the present distribution of seats as between the different communities.

(e) Paragraph 16 (3) of Part I of the Government of India (Provincial Legislative Councils) Order, 1936 [page 37 of the Bengal Legislature Manual, Volume I, Part II], and rule 3 (1) of the Bengal Legislative Assembly and the Bengal Legislative Council (Prohibition of Simultaneous Membership) Rules, 1936 [pages 231-232 of the Bengal Legislature Manual, Volume II].

(f) Paragraph 14 (c) of the Fifth Schedule to the Government of India Act, 1935, and rule 74 (1) of the Bengal Legislative Council Electoral (Conduct of Elections) Rules, 1936.

(g) Table of seats of Provincial Legislative Assemblies appended to the Fifth Schedule to the Government of India Act, 1935, and statement at pages 4-9 of the Bengal Civil List corrected up to the 1st January, 1940.

(h) Rule 78 (3) of the Bengal Legislative Council Electoral (Conduct of Elections) Rules, 1936.

Mr. HUMAYUN KABIR: With reference to answer '(d)', will the Hon'ble Minister be pleased to state how he proposes to maintain the present distribution of seats in this indirect election?

The Hon'ble Khwaja Sir NAZIMUDDIN: There is no reservation for any community as far as indirect election is concerned.

Mr. HUMAYUN KABIR: Exactly so, Sir. But are we to understand that the answer given here is wrong or at least inaccurate?

The Hon'ble Khwaja Sir NAZIMUDDIN: We do not propose to alter any present arrangement. Whatever the present arrangement is, it will remain there.

Gumti embankment.

17. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Communications and Works Department be pleased to state whether steps are being taken to deal with the question of Gumti embankment in the district of Tippera and the floods in relation to the embankment?

(b) Did the latest scheme of the experts recommend the creation of two or three escapes in the embankment, and is it a fact that estimates with plans for execution of the schemes were actually drawn by the Government experts?

(c) If the answer to clause (b) is in the affirmative, was a Conference called to pronounce opinion upon the scheme relating to the escapes with the result that the matter remains where it was several years back?

(d) Will the Hon'ble Minister be pleased to state what definite action has actually been taken up till now by the Government and how it proposes to deal with the embankment and within what period of time the question of this embankment will be finally dealt with?

MINISTER in charge of the COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Maharaja Srischandra Nandy, of Cossim-bazar): (a) Yes.

(b) A scheme for constructing two escapes on the Gumti embankment was drawn up and plans and estimates prepared by our technical advisers who were not prepared, however, to recommend that it should be taken up.

(c) and (d) I have convened two conferences, one of which attended by members of the Legislature representing the area concerned, was held on the 20th December, 1939, to consider the policy which should

be followed with regard to the Gumti embankment. The hon'ble member who has asked this question was present at the second conference, and may remember that it was generally agreed that the ideal solution would be to abandon the embankment retaining sufficient length for the protection of the town of Comilla. It was considered however that in the first instance there should be a survey of the area with the object of ascertaining the extent of any damage which might occur and the possibility of preventing or minimising loss by the introduction of alternative crops or otherwise. It was also agreed that pending the final decision, the non-Government portion of the embankment should be maintained in its present condition, breaches being repaired as they occur but no effort being made to raise the height of the embankment.

I have accordingly ordered the preparation of an estimate of the cost of making a survey of the area likely to be affected if and when the embankments are abandoned. An estimate of the cost of maintaining the non-Government portion in its present condition is being made and the method of financing this work is under consideration. On completion of the proposed survey, the question of abandonment will be finally decided.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether an estimate of the cost of making a survey of the area likely to be affected has actually been drawn up in the meantime?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I do not think the estimates have been drawn up, but they are under preparation.

Mr. LALIT CHANDRA DAS: May I ask the Hon'ble Minister to give us the probable time within which it is likely that this estimate will be drawn up?

The Hon'ble Maharaja SRISCHANDRA NANDY, of Cossimbazar: Sir, I have every hope that the actual work will be taken in hand within the next three or four months.

Mr. HUMAYUN KABIR: Before we proceed further, Sir, may I submit that some questions are still unanswered from the last session and to draw your kind attention to it?

Mr. PRESIDENT: So far as I remember, there is only one question relating to the Education Department that still remains unanswered. We have received a representation from that department saying that it will shortly be sent.

Mr. HUMAYUN KABIR: There are some relating to the Co-operative Department also.

Mr. PRESIDENT: I think none.

Motion for Adjournment.

Mr. PRESIDENT: The Chair has received notice of an adjournment motion from Mr. Lalit Chandra Das. It runs as follows:—

"That this Council do adjourn its business to discuss a definite matter of urgent public importance, namely, the situation which has been created by the Government's order No. 1052P.—Home Department, Political (Press), dated Calcutta, the 17th February, 1940, issued under clause (a), sub-clause (I) of Rule 41 of the Defence of India Rules and served by the Government of Bengal on Wednesday evening, i.e., on the 21st February, 1940, on the Editor of the 'Hindusthan Standard' prohibiting publication of any leading articles intended for publication in that paper before those were submitted for scrutiny by the Special Press Adviser in Calcutta."

Has any member any objection to the discussion of this adjournment motion?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I object to this on the ground that the order affects only one paper. It is in pursuance of certain laws which are in force in this province. I submit, Sir, that action against one individual or newspaper cannot be regarded as creating a "situation" in the province as a whole. What I mean to say is that actually the law is there which provides for action of this kind and action has been taken according to that law. I submit, Sir, that if a certain penal clause is there in an Act and if that penal clause is applied to a particular person, I do not see, Sir, how that can be construed as creating a "situation" entitling a discussion in the Legislature. If it is at all to be discussed, it can very well be done when the Budget grants come in. But to suspend the normal business of the House at a time when the Budget discussion is to take place is, to my mind, not fair. If the department had issued a large number of orders affecting the freedom of opinion in the case of a large number of newspapers, then I would accept that as an instance which might be regarded as restricting the freedom of a large number of newspapers, and therefore that might be a ground for the policy of Government to be questioned. But in this particular instance, Sir, certain action has been taken against a single paper according to the laws of the land—and I submit, Sir, for your consideration that it does not come under

the rules of the Bengal Legislative Council Procedure which would entitle the member to have this motion moved and thereby to suspend the normal business of the Legislative Council.

Mr. LALIT CHANDRA DAS: Mr. President, Sir, I want to say something in reply to what the Hon'ble Home Minister has just now said. Sir, I do not deny that Government has taken action under certain provisions of a Law which is now in force, but what I do object to is that it has resulted in disturbing the functioning of the Press in its normal course. My motion refers to the "situation" that has been created by this order on the "Hindusthan Standard". It may be that to-day it is the "Hindusthan Standard" that has been proceeded against, but to-morrow the "Amrita Bazar Patrika" and the day after the "Advance" may fall an easy prey to such orders. And this adjournment motion is brought forward to check such orders of seizing one paper after another. Such an action as this is only a part of the policy of repression which has been adopted by Government. It is high time that the public takes notice of it and resentment is expressed in this House against such a policy. Sir, I submit the order is only the beginning of a series of repressive measures against the Press. As you know, the Press is already working under heavy odds and this is another attempt, Sir, by the Government to stifle the Press, which is the mouth-piece of public opinion. So, I submit in all seriousness that such an order has actually created a panicky situation which requires immediate discussion. I cannot understand why the Hon'ble the Home Minister should be afraid of a discussion of a question like this in this House. Gagging the Press is not a trifling matter. As I said before, this is only the beginning of a series of repressive acts. The next day they would fall upon another set of newspapers and in this way the situation would become complicated and worse. It is high time that the mischief should be nipped in the bud.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am glad the honourable member has accepted my contention that mere passing of the order against an individual newspaper does not entitle him to move an adjournment motion.

Mr. LALIT CHANDRA DAS: I have never said that.

The Hon'ble Khwaja Sir NAZIMUDDIN: But he apprehends that similar action may be taken in future and so he wants to raise a discussion on the policy of Government. Therefore, Sir, if on a future date he submits a motion for consideration regarding the repressive policy of Government, that is a question on which you will have to again exercise your discretion whether the motion is admissible or not. As far as my contention is concerned, it has been left unanswered. The

honourable member has cited an instance which shows that he questions the general policy of Government and not its application in an individual case. The honourable member should have confined himself to the individual action which has been the cause of this trouble, and as far as that is concerned, he has admitted that there is no justification.

Mr. PRESIDENT: I appreciate the argument advanced by the Hon'ble Home Minister. It is true that in rule 41 of the Defence of India Rules, it is definitely provided that "if in the opinion of the Provincial Government it is necessary or expedient for the enforcement of these Rules, the Provincial Government may, by order addressed to a printer, publisher, or editor, or to printers, publishers and editors generally, require that all matter as contemplated in this order shall be submitted for scrutiny." So, the order complained of is fully within the bounds of law now in force; that is not disputed. But I shall have to consider the matter from the standpoint of the narrow technique of our rules.

Rule 97 of the Bengal Legislative Council Procedure Rules says, "A motion for an adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance." At this stage, I have got to apply my mind to the point as to whether it is a definite matter of urgent public importance. That it is a matter of public importance, there is no doubt. The matter is also definite, because there has been a specific complaint against a particular order of the Government. If the honourable members had other opportunities in this House to discuss this matter, then by applying the Rule of Anticipation, a motion like this might be barred. It is for the House to decide whether leave should be granted. If the motion is supported by 13 members, then only this motion can be discussed and so far as the merits of the motion is concerned, it will be absolutely for the House to decide whether Government was justified or not in passing the order complained of. Now, I am on the very narrow point of deciding whether it is a definite matter of urgent public importance. I hold that it is so and therefore the motion is in order. As the motion has been objected to, the honourable members who support this motion will kindly rise in their places.

As less than 13 members have stood up, I have to inform the honourable member that he has not the leave of the Council to move his motion.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I give notice of a motion with your permission?

Mr. PRESIDENT: Yes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have the honour to give notice that in the current session of the Bengal Legislative Council I shall move, on a date to be fixed later on, that the Bengal Tenancy (Third) Amendment Bill, 1939, as passed by the Bengal Legislative Assembly, be taken into consideration and passed.

Mr. PRESIDENT: The House will now resume further consideration of the Budget Estimates for 1940-41.

General Discussion on Budget.

Mr. HUMAYUN KABIR: I was placing before the House yesterday considerations which to a certain extent go against the forecast made by the Hon'ble Finance Minister with regard to the financial position of the province. I regret very much that the Hon'ble Finance Minister is not present here to-day, and I think, Sir, since this House has no opportunity of discussing the grants in the Budget item by item, it is of very little use for us to discuss the Budget if the Finance Minister is not here.

Mr. PRESIDENT: Order, order. What have the Government got to say in this matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: We shall take down notes of the points that may be raised by the honourable member. The Finance Minister is unavoidably delayed. He will be here soon.

Mr. HUMAYUN KABIR: May we then postpone the discussion till the Finance Minister, to whom the remarks will be directed, is here? Let the House be adjourned.

Mr. PRESIDENT: Has he stated any reason why he is absent? When is he expected to come?

Mr. HUMAYUN KABIR: Sir, you have on many occasions stated on the floor of the House that if any Hon'ble Minister be not able to attend, he should inform you beforehand.

Mr. PRESIDENT: There is no doubt that this ordinary courtesy should be shown to this House when the Budget is being discussed. The Hon'ble Finance Minister is absent, but there may be some good reasons for his absence which we do not know.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: He has not been in good health, of late, and that is, I presume, one of the reasons why he is late in coming here. I am here to take down notes on the points raised on behalf of the Finance Minister. I will pass them on to my colleague and, I am sure, he will reply to the points raised.

Mr. KAMINI KUMAR DUTTA: Had it been an isolated instance in which the House has been treated with such scant courtesy, we would not have taken a strong view of the matter. It is only a repetition of old instances. So, on behalf of the House, I can say that we entertain a very, very strong feeling in this respect. Even as regards the presentation of the Budget (though personally I was not present) the Hon'ble Finance Minister's statement was not as comprehensive as it ought to have been.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: As an experienced lawyer, you know very well that even in the courts of law when a lawyer wants an adjournment of a case on personal grounds, it is always the practice to grant it. My submission is this, that the Hon'ble Finance Minister is not in good health. That is probably one of the reasons why he is rather late in arriving here. I am prepared to take down notes on his behalf and see that full consideration is given to any points that may be raised by my friends opposite.

Mr. PRESIDENT: Order, order. Sir Bijoy Prasad well knows that this House can only discuss the Budget generally and it cannot go into the details of the budget. So, the presence of the Finance Minister is absolutely necessary, in the opinion of the Chair. (Hear! hear!) Of course, I cannot force him to attend. I have already said that it is common courtesy to inform the Chair the reason why on such an occasion the Hon'ble Finance Minister himself is absent. If the House is of that opinion, then I shall have to adjourn the House. (Cries of "Yes, Sir; adjourn the House".)

I shall consult the opinion of the House on this point.

Mr. H. C. A. HUNTER: Mr. President, Sir, I think the House should be adjourned.

Mr. PRESIDENT: Raja Bahadur of Nashipar?

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipar: I also associate myself with what Mr. Hunter has said. As a matter of fact, the presence of the Finance Minister is necessary. The work of taking down notes can best be done by stenographers.

Mr. PRESIDENT: Khan Bahadur M. Abdul Karim?

Khan Bahadur M. ABDUL KARIM: I am also of the same opinion.
(Cries of "Hear! hear!")

Adjournment.

The Council then adjourned till 2-15 p.m. on Friday, the 23rd February, 1940.

Members absent:

The following members were absent from the meeting held on the 22nd February, 1940:—

- (1) Khan Bahadur Naziruddin Ahmed.
- (2) Mr. Nur Ahmed.
- (3) Rai Bahadur Keshab Chandra Banerjee.
- (4) Rai Bahadur Manmatha Nath Bose.
- (5) Mr. Humayun Reza Chowdhury.
- (6) Mr. Narendra Chandra Datta.
- (7) Khan Bahadur S. Fazal Ellahi.
- (8) Mr. Kanai Lal Goswami.
- (9) Mr. Mohamed Hossain.
- (10) Khan Babadur Syed Ghaziul Huq.
- (11) Maulana Muhammad Akram Khan.
- (12) Mr. W. B. G. Laidlaw.
- (13) Mr. H. G. G. Mackay.
- (14) Mr. Naresh Nath Mookerjee.
- (15) Mr. J. B. Ross.
- (16) Mr. W. F. Scott-Kerr.

THE BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Friday, the 23rd February, 1940, at 2-15 p.m. being the fourth day of the First Session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair,

QUESTIONS AND ANSWERS

Settlement training for Bengal Civil Service Officers.

18. Rai SURENDRA NARAYAN SINHÀ Bahadur (on behalf of Khan Bahadur Sayed Muazzamuddin Hosain): Will the Hon'ble Minister in charge of the Revenue Department kindly state—

- (a) how many members of the Bengal Civil Service (Senior or Junior) were given Settlement training during each of the last 10 years; how many of them were Hindus and how many Muslims; and
- (b) how many members of the Bengal Civil Service (Senior or Junior) were employed in the Settlement Department during each of the last 10 years; how many of them were Muslims?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): A statement is laid on the table.

Statement referred to in the reply to question No. 18.

(a) Number of members of the Bengal Civil Service (Executive) and the Bengal Junior Civil Service who were given settlement training during each of the last 10 years.

Year.	Bengal Civil Service (Executive).			Bengal Junior Civil Service.		
	Muslims.	Hindus.	Total.	Muslims.	Hindus.	Total.
1930-31	4	6	10	8	7	15
1931-32	4	5	9	11	15	26
1932-33	4	3	7	4	6	10
1933-34	4	2	6	..	..	..
1934-35	..	..	..	..	..	..
1935-36	..	..	..	1	..	1
1936-37	..	..	..	5	3	8
1937-38	3	3	6	5	3	10(x)
1938-39	5	7	12	12	14	26(x)
1939-40	4	3	7	16	20	36

(x) This excludes one officer of the Anglo-Indian community.

(b) Number of members of the Bengal Civil Service (Executive) and the Bengal Junior Civil Service who were employed in the Settlement Department during each of the last 10 years. .

Year.	Bengal Civil Service (Executive).			Bengal Junior Civil Service.		
	Muslims.	Hindus.	Total.	Muslims.	Hindus.	Total.
1930-31	3	9	12	13	39*	52
1931-32	..	4	4	5	29	34
1932-33	..	6	6	6	26	32
1933-34	..	4	4	6	22	28
1934-35	1	8	9	6	24	30
1935-36	1	7	8	8	26	34
1936-37	1	7	8	5	23	28
1937-38	..	6	6	6	21	27
1938-39	..	3	3	5	15	20
1939-40	..	2	2	6	10	16

Permanent vacancy caused in the districts of Nadia and Murshidabad in the posts of clerks.

19. Mr. KADER BAKSH (on behalf of Khan Bahadur Ataur Rahman): Will the Hon'ble Minister in charge of the Judicial Department be pleased to state—

- (a) how many posts of permanent clerks fell vacant in the districts of Murshidabad and Nadia in the year 1939-40;
- (b) how many of them have been filled up by Muslims and how many by Hindus; and
- (c) what is the total number of upper division clerks and how many of them are Muslims?

MINISTER in charge of the JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): (a) Four posts fell vacant in each district but owing to the number of posts being already in excess of the sanctioned cadre in Nadia, two posts were left vacant and two filled up temporarily.

(b) In Nadia, one was filled up by a Muslim and one by a Hindu while in Murshidabad two by Muslims and the other two by Hindus, one of whom belonged to Scheduled Castes.

(c) Sixteen in each district, of whom there are two Muslims in Murshidabad and four in Nadia.

Motion of Privilege.

Mr. RANAJIT PAL CHOUDHURY: May I rise on a point of privilege? A certain matter arising out of some comments which had appeared in the "Azad" was referred to the Privilege Committee during the last session. This matter has been hanging fire for the last four or five months and we have not been able to come to any decision up till now. Considering that some of the members of the Privilege Committee are, at any rate the Chairman himself of the Privilege Committee is, due to retire within two or three months, may I move a motion that a meeting of the Privilege Committee be convened within three days to finally consider the pending matter of the "Azad" and the "Hindusthan Standard" and to submit their report within 7 days to the House

Mr. PRESIDENT: Motion moved: that at a meeting of the Privilege Committee be convened within three days to finally consider the pending matter of the "Azad" and the "Hindusthan Standard" and to submit their report within 7 days to the House.

The Hon'ble Khwaja Sir NAZIMUDDIN: On a point of order, Sir. Is this motion in order in view of the fact that the matter is already in the hands of the Privilege Committee?

Mr. PRESIDENT: If the Privilege Committee do not meet at all, then certainly the House has the right to ask the Committee to dispose of the matter referred to it. It is for the House to decide whether it would do so or not. The House has every right to give a direction that a meeting of the Committee should be held within a definite time.

The Hon'ble Khwaja Sir NAZIMUDDIN: In that case, would not notice be required of this motion?

Mr. PRESIDENT: No notice is necessary as regards a motion of Privilege.

Mr. LALIT CHANDRA DAS: May I rise in support of this motion?

Sir, this motion concerns the rights and privileges of the House and it is almost coming to the point of scandal that the Privilege Committee meeting could not be called and the members of it could not meet even in the course of the last six months. This matter is pending for a long time. Once there was a report on this matter and on an objection taken by certain members of the House the matter was referred back to the Privilege Committee for re-consideration. Now that re-consideration is overdue. If the Chairman of the Privilege Committee

cannot make time to convene a meeting thereof, it is high time that he should make room for others or if he does not do anything of that sort, the House should give direction that the Committee should meet. The matter should not be kept hanging, because it concerns the rights and privileges of the House.

Mr. KADER BAKSH: I think the time mentioned in the motion is too short. I, therefore, suggest an amendment that instead of three days, the time be extended to seven days. I think that would be convenient for giving notice and holding a meeting.

I formally move that instead of "three", the word "seven" be substituted and in place of the word "seven", the word "twelve" be substituted.

Mr. PRESIDENT: I understand that notices have been issued for holding the Committee meeting on the 26th instant. In that case, is it necessary to move this motion?

Begum HAMIDA MOMIN: We have not received any information about this meeting.

Mr. PRESIDENT: I understand from the office that notices have already been despatched. They will reach the honourable members in course of the day.

Mr. RANAJIT PAL CHOUDHURY: In that case, Sir, I would not press my motion provided the agenda of business for the meeting includes consideration of the reports on the "Azad" and the "Hindusthan Standard".

Begum HAMIDA MOMIN: On a point of information, Sir. During the last session after a resolution was passed here about the Privilege Committee meeting, there was a notice issued from the office saying that a meeting would be held and that you yourself would be present at that meeting. I would like to know if you will be present at the meeting to be held on the 26th instant.

Mr. PRESIDENT: I intimated that if it was the desire of the Committee that I should be present, I would attend so that the matter might be amicably settled. Unless I am specially asked by the Committee, I shall not be present.

Begum HAMIDA MOMIN: How shall it be intimated to you? Should it be through the office or directly?

Mr. PRESIDENT: The Committee has the right to desire the presence of anybody. I personally informed the Chairman that I would be present in the Committee meeting if only an amicable settlement was possible. Of course, it is for the Committee to finally settle the matter. If they can settle the matter amongst themselves without my advice, that would be more desirable.

Begum HAMIDA MOMIN: It would be better, Sir, if you be present.

Mr. PRESIDENT: Mr. Pal Choudhury, do you still press your motion?

Mr. RANAJIT PAL CHOUDHURY: If there is an agenda to that effect, I would not press it.

Mr. PRESIDENT: I understand from the office that notices have been issued for a meeting of the Privilege Committee being held on the 26th instant and that the agenda includes the consideration of the Fifth and Sixth reports which relate both to the "Azad" and "Hindusthan Standard".

Mr. RANAJIT PAL CHOUDHURY: In that case, I would not press my motion.

• **Mr. PRESIDENT:** Is it the pleasure of the House that the motion should be withdrawn?

The motion was then, by leave of the House, withdrawn.

NON-OFFICIAL BILLS

The Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as reported by the Select Committee.

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: I beg to move that the Bengal Patni Taluks Regulation Bill, as reported by the Select Committee, be taken into consideration.

Sir, the present Patni Taluks Regulation, VIII of 1819, was enacted—

Dr. RADHA KUMUD MOOKERJI: On a point of order, Sir. I find from the report circulated that the Select Committee has changed the original Bill beyond recognition and there is not a single line of the original Bill which has been endorsed by the Select Committee.

Mr. PRESIDENT: The Select Committee has the right to change every word of it. What is your objection? What is the point of order about?

Dr. RADHA KUMUD MOOKERJI: The Select Committee must move within the limits settled in the original draft of the Bill, but now from the report of the Select Committee we find that the report has taken the utmost possible liberty with the original draft of the Bill.

Mr. PRESIDENT: The Select Committee is not to go against the principle underlying the Bill to which the House commits itself and the Chairman of the Select Committee, I think it was Sir Bijoy Prasad Singh Roy, certainly would not have allowed alterations which were against the principle of the Bill. I, therefore, hold that it is in order.

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: The present Patni Taluks Regulation was enacted in 1819 just to meet the situation then existing. Some of its provisions are very stringent and inequitable, and with the object of removing those defects the present Bill has been introduced.

The main provisions are embodied in clauses 2, 4 and 8. Clause 2 proposes to abolish the provision of security. The *patnidars* have got the right of alienation on condition of furnishing securities. The sale of the *Patni Taluk* itself is a sufficient security. So, there is no justification for demanding security. This power in the hands of the zemindars is often misused by their officers. On the other hand, if it is abolished, it will be no loss to the zemindars. The *patnidars* suffer from the rigours of this law without any corresponding gain to the zemindars.

The second important item is the provision for division of *patni* or distributing the rent thereof. It is within our knowledge how co-sharers suffer sometimes for the negligence of other co-sharers who sometimes act in collusion with the zemindars for their share of rent. The principle of this amendment was accepted by the House at the time of the last Bengal Tenancy (Amendment) Act.

The third important amendment gives power to the Collector to accept money at a time when the property is on the sale list. This will give relief to the defaulting tenure-holder to save his property. These are the main principles of the Bill, and I beg to move that the Bill, as reported by the Select Committee, be taken into consideration.

Mr. PRESIDENT: Motion moved: that the Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as reported by the Select Committee, be taken into consideration.

Mr. H. C. A. HUNTER: Mr. President, Sir, may I submit one thing? We have just received a list of amendments, about 60 in number, and I submit that we have not had enough time to consider these amendments. I, therefore, suggest that the consideration of this Bill be deferred till the next non-official day.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, those amendments will follow later on. The motion now before the House—which is also the first motion—is that the Bill be taken into consideration.

Mr. PRESIDENT: The question before the House is: that the Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as reported by the Select Committee, be taken into consideration.

(The motion was agreed to.)

Clause 1.

Mr. PRESIDENT: Clause 1 stand part of the Bill.

The question before the House is: that clause 1 stand part of the Bill.

(The motion was put and agreed to.)

Clause 2.

Mr. PRESIDENT: Clause 2 stand part of the Bill.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:
Mr. President, Sir, I beg to move that clause 2 of the Bill be omitted.

In this connection, I beg to draw the attention of the House to the fact that this Bill is for the benefit of the *patnidars* as well as of the *zemindars*. As a matter of fact, it would be a pity if any one were to think that the *patnidar* comes under the category of the "tenant". Legally, they are the tenants, but for all practical purposes they are the landlords of the holdings. I might add that after the land had been leased out by a *zemindar* to a *patnidar*, the *zemindar* divests himself of all the interests and rights. He is not allowed even to enter into his own land and all the rights and privileges of the landlord stand vested in the *patnidars*. Under him come the *raiyat*, the tenure-holder, the cultivating *raiyat* and all sorts of *raiyats*, and their prosperity depends on him. Sir, it would, therefore, be misleading to think that the *patnidars* come within the category of tenant.

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: On a point of order, Sir. How is it relevant that the tenure-holder or the tenant—

Mr. PRESIDENT: Order, order. The Raja Bahadur will please proceed.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Sir, I was referring to the tenure-holder, tenant, etc., simply to develop my argument and also for the benefit of my European friends, who may not labour under a mistaken notion that this Bill really seeks to give relief to the tenants but to the *patnidars*. My argument is that to give relief to the *patnidar* is to give relief to the landlords and not to the tenants. After the leasing out of the *patni*, the zemindar loses, for all practical purposes, the rights and concerns and interests therein. So, if any relief is to be given, it should be given to the landlord. To dispel misunderstanding on the part of my friends over there, I just made it clear that giving relief to the *patnidar* is giving relief to the landlords and not to the tenant, as is commonly understood. Sir, as my friend Dr. Mookerji said, the Bill as it has emerged from the Select Committee is quite different from the original one. There is not a single line, not a single word, that has been accepted or retained by the Select Committee. The only thing that has been retained is the title of the Bill, viz., the Bengal Patni Taluks Regulation (Amendment) Bill, 1938. Every other word, every letter, has been altered. So I do not know—

Mr. PRESIDENT: Order, order. May I point out to the honourable member that he himself was a member of the Select Committee and that he affixed his signature to the statement that "the Bill has not been substantially altered by our recommendation and we do not consider that it requires re-publication".

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: That is so, Sir. What I mean to say is that the wording of the Bill has been altered and not the subject-matter. Still, I do not want that it should be re-published. Further, Sir, if you look at my minute of dissent, you will find that I have already stated that it would be better to have it re-circulated, but I do not press for its circulation now. Now, Sir, the present clause, viz., clause 2, deals with the deposit of security to the zemindar. According to this clause, half of the annual rent should be deposited as security. There is some misunderstanding among some of my friends that this deposit is being given to the zemindar for his gain. This, however, is not the case. It is a mere deposit and nothing else. If you go through the relevant clause, Sir, you will find that it is not essential that money should be deposited. The deposit may be in the form of Government security or

even of landed property. There is no question of money here. So, there would be no hardship if one cannot deposit money in cash. Whatever the deposit, he will get it back when he ceases to be a *patnidar*. This is only for the purpose of realising rents from the *patnidars*.

Now, the next question that arises is whether there is any loss in depositing security in cash. There is not any, because the *patnidar* will get the usual rate of interest on his deposit, be it cash or Government security. On the other hand, he will be relieved of the trouble of going to the Treasury or to bank to draw interest. That work will be done by the zemindar who will remit the same to the *patnidar*. If it is landed property, then he will enjoy the landed property. Only the document will be there. So, there is no loss in either case.

Now, the question arises whether this deposit can be forfeited or not. Yes, it can be, but only on one occasion and that will be when the *patnidar* makes any default and as a result the *patni* tenure is put to sale in a Court proceeding. Even then only in case the sale proceeds do not cover the six months' rent can forfeiture take place, and that too to the extent of covering the amount of the difference only. Moreover, Sir, the *patnidar* is not going to pay this six months' rent from his own pocket. He will realise it from his tenants at a rate of interest higher than what he will pay the zemindar. So, he has nothing to lose by forfeiture also and there is no case of hardship at all. On the other hand, if this clause be omitted, as recommended by the Select Committee, the result would be that there would be a series of litigations. By omitting this clause, the *patnidar* will not be relieved of his dues, because for the balance he has to pay there will be another suit and his movables and immovables will be attached. So, instead of going on with litigation, this deposit has been provided for. As there is no hardship on the *patnidar*, I am for omitting this clause 2. Another effect of omitting this clause will be the elimination of fraud. Someone may sell his holding to another in *benami*. The latter will enjoy the holding and collect the rent, and at the same time he will not have to pay any security and the zemindar will be nowhere. There have been cases also where *patnidar* leases out the land to tenants at a lower rate of rent and that reduces the annual *yama*. Security deposit is essential for this reason as well.

With these words, Sir, I beg to move that clause 2 be omitted.

Mr. PRESIDENT: Amendment moved: that clause 2 of the Bill be omitted.

Mr. KAMINI KUMAR DUTTA: Sir, I oppose this amendment. Many things have been said in support of the claim for retaining the clause about depositing a security for a *patni taluk* or tenure. Now, this Patni Regulation was enacted so far back as the year 1819

when there might have been a reasonable apprehension in the minds of the lessors creating the *patni* that perhaps the profit of the *patni* might not suffice for the payment of the *patni* rent. So, in order to safeguard the due realisation of the *patni* rent, this clause was then enacted, in order that it might induce the *patnidar* to be punctual in the payment of his dues. The time has now changed. Besides the *patni* tenure, there are now other kinds of tenures which are governed by the Bengal Tenancy Act, and no such disability as the deposit of a security is attached to these tenures. Of all the existing tenures in the province, *patni* does not form the major part. In Western Bengal, there are more *patnis* than in East Bengal. In East Bengal, almost 98 per cent. of tenures are of a different character altogether. So, there is no reason why in the year 1940 the same disability which was thought necessary to be attached to a particular kind of tenure in the year 1819, should be allowed to remain. It has been said that there may be *benami* transfers, but after all rent is the first charge on the tenure. The *patnidar* remains liable for the rent and if there is such a *patni*, the owner of which would not be at all anxious to retain it or the retention of which will be unprofitable, i.e., the profit accruing from that would not be sufficient for the payment of the rent due, the sooner it is made *khas* by the zemindar, the better. I oppose this amendment vehemently.

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: I oppose this amendment. The ground taken by the Raja Bahadur is that it leads to fraud and possibly he means that if the security provision is removed, there might be a loss of rent to the zemindar. I think this apprehension is more imaginary than real. The zemindar at the present moment has got the power to put the property to sale every six months. It is reasonably expected that the property in question will fetch that amount. So, there cannot be any question of fraud in this case, as alleged by the Raja Bahadur.

There are other difficulties too. If there is a provision like that, the property is not likely to fetch a fair price, because the purchaser will be at the mercy of the zemindar. It is for the zemindar to recognise him or not. If this provision be removed, the property is likely to fetch a much higher price. With these few words, I oppose the amendment.

Mr. PRESIDENT: The question before the House is: that clause 2 of the Bill be omitted.

(The motion was negatived.)

Mr. PRESIDENT: The question before the House is that clause 2 stand part of the Bill.

(The motion was agreed to.)

Clause 3.

Mr. PRÉSIDENT: Clause 3 stand part of the Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move that for the existing clause 3 of the Bill, the following be substituted :—

3. In section 6 of the said Regulation, for the words commencing with “It is hereby provided” and ending with “his special sanction,” the following shall be substituted :—

“It is hereby provided that the rules of section 5 relating to fee for alienation shall be held to apply to transfers of any fractional portion of or the entire interest in, a *patni taluk*.”

Sir, the Patni Taluks Regulation does not provide for partition of *patni taluk* at present. The Bill provides for partition and there is a proposal for doing away with security. In fact, the House has already accepted that amendment. Now, the landlord had the right to demand security in case of transfer of *patni* (of course the *patni* always implies a complete *patni*). We are now providing for transfer of part *patni* also. My proposal amounts to this: that no security would be payable by the *patnidar* or can be demanded by the zemindar even in case of a part transfer, just to make it consistent with the amendment which has been accepted by the House.

Mr. PRÉSIDENT: Amendment moved: that for the existing clause 3 of the Bill, the following shall be substituted :—

3. In section 6 of the said Regulation, for the words commencing with “It is hereby provided” and ending with “his special sanction,” the following shall be substituted :—

“It is hereby provided that the rules of section 5 relating to fee for alienation shall be held to apply to transfers of any fractional portion of or the entire interest in, a *patni taluk*.”

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: I think, Sir, that this amendment is redundant. Under clause 3 as it stands, the landlord can demand alienation fee in case of a partial transfer even, because it is intended to remove the last portion of section 6 which commences with “it is hereby provided” and ends with “special sanction.” The purchaser of a partial *patni taluk* was exempted from paying the transfer fee as well as the security. So, I think it is not necessary. The clause as it stands is quite enough and no amendment is necessary.

Mr. PRESIDENT: The question before the House is: that for the existing clause 3 of the Bill, the following shall be substituted:—

3. In section 6 of the said Regulation, for the words commencing with “It is hereby provided” and ending with “his special sanction,” the following shall be substituted:—

“It is hereby provided that the rules of section 5 relating to fee for alienation shall be held to apply to transfers of any fractional portion of or the entire interest in, a *patni taluk*.[”]

(The motion was agreed to.)

Mr. PRESIDENT: The question before the House is: that clause 3, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 4.

Mr. PRESIDENT: Clause 4 stand part of the Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: With your permission, may I amend my amendment to clause 6B sub-clause (b), on the following lines? The amendment of which I gave notice in the printed list runs as follows:—

“That in clause 4 of the Bill, for proposed section 6B, the following section shall be substituted, namely:—

6B. Notwithstanding anything contained in any other Act—

- (a) the provisions of section 88 of the Bengal Tenancy Act, 1885, shall apply *mutatis mutandis* to the distribution of rent payable in respect of a *patni taluk* with the substitution of the words “one hundred rupees” for the words “two rupees” in the proviso (b) to sub-section (2) of the said section;
- (b) the provisions of the Estates Partition Act, 1897, shall apply *mutatis mutandis* to the partition of a *patni taluk*.

Now, what I propose to substitute for (b) is this:—

“(b) It shall be optional for every co-sharer proprietor of a joint undivided *patni taluk*, either to institute a suit in a competent Civil Court for partition of such *taluk* or to partition such *taluk* according to the provisions of the Estates Partition Act, 1897, which Act shall apply *mutatis mutandis* to such partition.”

So, instead of providing for partition only according to the provisions of the Estates Partition Act, I wish also to provide that the *patnidar* might have a partition with the help of the Civil Court.

Mr. PRESIDENT: I take it that there is no objection.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I move my amendment formally?

Mr. PRESIDENT: Yes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move that in clause 4 of the Bill, for proposed section 6B, the following section shall be substituted, namely—

6B. Notwithstanding anything contained in any other Act—

- (a) the provisions of section 88 of the Bengal Tenancy Act, 1885, shall apply *mutatis mutandis* to the distribution of rent payable in respect of a *patni taluk* with the substitution of the words “fifty rupees” for the words “two rupees” in the proviso (b) to sub-section (2) of the said section.
- (b) It shall be optional for every co-sharer proprietor of a joint undivided *patni taluk* either to institute a suit in a competent Civil Court for partition of such *taluk* or to partition such *taluk* according to the provisions of the Estates Partition Act, 1897, which Act shall apply *mutatis mutandis* to such partition.”

Mr. PRESIDENT: Motion moved: that in clause 4 of the Bill, for proposed section 6B, the following section shall be substituted, namely—

6B. Notwithstanding anything contained in any other Act—

- (a) the provisions of section 88 of the Bengal Tenancy Act, 1885, shall apply *mutatis mutandis*, to the distribution of rent payable in respect of a *patni taluk* with the substitution of the words “fifty rupees” for the words “two rupees” in the proviso (b) to sub-section (2) of the said section.
- (b) It shall be optional for every co-sharer proprietor of a joint undivided *patni taluk* either to institute a suit in a competent Civil Court for partition of such *taluk* or to partition such *taluk* according to the provisions of the Estates Partition Act, 1897, which Act shall apply *mutatis mutandis* to such partition.”

Mr. PRESIDENT: The question before the House is—

“That in clause 4 of the Bill, for proposed section 6B the following section shall be substituted, namely—

6B. Notwithstanding anything contained in any other Act—

- (a) the provisions of section 88 of the Bengal Tenancy Act, 1885, shall apply *mutatis mutandis*, to the distribution of rent payable in respect of a *patni taluk* with the substitution of the words “fifty rupees” for the words “two rupees” in the proviso (b) to sub-section (2) of the said section.
- (b) It shall be optional for every co-sharer proprietor of a joint undivided *patni taluk* either to institute a suit in a competent Civil Court for partition of such *taluk* or to partition such *taluk* according to the provisions of the Estates Partition Act, 1897, which Act shall apply *mutatis mutandis* to such partition.”

(The motion was agreed to.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, before you leave clause 4—

Mr. PRESIDENT: There are other amendments by the Raja Bahadur of Nashipur.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Sir, I don't want to move them.

Mr. PRESIDENT: The question before the House is: that clause 4, as amended, stand part of the Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Could I, Sir, make one humble suggestion? The suggestion is that in sub-section (1) of proposed section 6A, for the words “to be published”, the words “to be served or published” shall be substituted.

It is really the Raja Bahadur's amendment. Let me read the whole thing, Sir, for the information of the House. It runs as follows:—

- “(a) in second paragraph of sub-section (1) of proposed section 6A for the words “to be published” the words “to be served or published” shall be substituted; and
- (b) in sub-section (2) of the said section for the words “from the time of publication of the copy of application under sub-section (1)”, the following shall be substituted, namely:— ‘from the time of service or publication of the copy of application under sub-section (1) whichever is later’.”

Sir, the idea underlying my amendment is this. We are now making provision for dividing the *patnis*. If the rent of a particular share cannot be realised by the sale of that share, on the analogy of section 14 of the Revenue Sales Act, we are providing for the realisation of the arrear rents by the sale of the whole tenure, the entire *patni*. Now, it is necessary that the co-sharer *patnidars* should receive notice of the sale, because they might not know that the whole *patni* was going to be put up for sale and that thereby their interests were going to be affected. Now, in the case of revenue sales—

Mr. PRESIDENT: Order, order. Sir Bijoy, do you want to amend any part of 6B?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. It is 6A that I am talking of.

Mr. PRESIDENT: 6B has two parts (*a*) and (*b*). Do you want to alter that portion in any way?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. My amendment relates to 6A.

Mr. PRESIDENT: Your amendments are so very confusing that it is impossible to understand which one you are moving and further, you have given notice of so many short-notice amendments that it is next to impossible to keep track of them.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am extremely sorry, Sir.

Rai Sahib JATINDRA MOHAN SEN: I beg to submit that we have not yet received any notice of these amendments.

Mr. PRESIDENT: Order, order. Unless there is unanimous agreement in the whole House, I am afraid the Chair will not allow the Hon'ble Minister to move such short-notice amendments. Is there any objection to the amendments proposed by the Hon'ble Minister being moved?

(Cries of "No, no.")

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, may I make myself clear? What I want to have is that in the second paragraph of sub-section (1) of proposed section 6A, for the words "to be published", the words "to be served or published" shall be substituted; and

that in sub-section (2) of the said section, for the words “from the time of publication of the copy of application under sub-section (1)”, the following shall be substituted, namely:—

“from the time of service or publication of the copy of application under sub-section (1), whichever is later.”

Mr. PRESIDENT: Order, order. Amendment moved: that—

(a) in second paragraph of sub-section (1) of proposed section 6A, for the words “to be published,” the words “to be served or published” shall be substituted; and

(b) in sub-section (2) of the said section, for the words “from the time of publication of the copy of application under sub-section (1)”, the following shall be substituted, namely:—

“from the time of service or publication of the copy of application under sub-section (1), whichever is later.”

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: I accept amendment.

Mr. PRESIDENT: The question before the House is: that—

(a) in second paragraph of sub-section (1) of proposed section 6A, for the words “to be published,” the words “to be served or published” shall be substituted; and

(b) in sub-section (2) of the said section, for the words “from the time of publication of the copy of application under sub-section (1)”, the following shall be substituted, namely:—

“from the time of service or publication of the copy of application under sub-section (1), whichever is later.”

(The motion was agreed to.)

Mr. PRESIDENT: The question before the House is: that clause as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 5.

Mr. PRESIDENT: Clause 5 stand part of the Bill.

(After a pause.) The question before the House is: that clause 5 stand part of the Bill.

(The motion was agreed to.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I put in one word, Sir?

Clause 6.

Mr. PRESIDENT: Order, order. Clause 6 stand part of the Bill.
 (After a pause.) The question before the House is: that clause 6 stand part of the Bill.

(The motion was agreed to.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I have already handed over a copy of an amendment of mine which relates to clause 4—

Mr. PRESIDENT: That stage is already over. We have already disposed of clause 4.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not want to move it but I am afraid, Sir, that one of my important amendments on the list has been passed over.

Mr. PRESIDENT: I am so sorry. It cannot be helped. You should have been more alert.

Clause 7.

Mr. PRESIDENT: Clause 7 stand part of the Bill.
 • (After a pause.) The question before the House is: that clause 7 stand part of the Bill.

(The motion was agreed to.)

Clause 8.

Mr. PRESIDENT: Clause 8 stand part of the Bill.
 (After a pause.) The question before the House is: that clause 8 stand part of the Bill.

Dr. RADHA KUMUD MOOKERJI: May I submit one point, Sir? Since a serious flaw has been detected as regards clause 4, can we not go back and consider it?

Mr. PRESIDENT: No, I am afraid not. It will not be passed by this House alone!•

(The motion was agreed to.)

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I want to insert the word "solely" after the word "reversed," which has been wrongly printed as "reserved."

Mr. PRESIDENT: Is there any objection to this short-notice amendment to the original amendment being moved?

(Cries of "No, no.")

Mr. PRESIDENT: As there is no objection, I take it that the House agrees to this short-notice amendment. I shall now read out the amendment as revised.

Motion moved: that for the proviso to sub-clause (a) of clause 8, the following proviso be substituted:—

"Provided that, notwithstanding anything contained in this Regulation the right of the zemindar to make the sale shall not be stopped by any party *nor shall the sale be reversed* solely on the ground that a notice or other document mentioned in section 8 was not served personally on the defaulters or any of them."

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: Sir, I accept this amendment.

Mr. PRESIDENT: The question before the House is: that for the proviso to sub-clause (a) of clause 8, the following proviso be substituted:—

"Provided that, notwithstanding anything contained in this Regulation the right of the zemindar to make the sale shall not be stopped by any party *nor shall the sale be reversed* solely on the ground that a notice or other document mentioned in section 8 was not served personally on the defaulters or any of them."

(The motion was agreed to.)

Mr. PRESIDENT: The question before the House is: that clause 8, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 9.

Mr. PRESIDENT: Clause 9 stand part of the Bill.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Sir, I have my amendments on clause 9.

Mr. PRESIDENT: Where are your amendments? Have you given any notice of them?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir.

Rai Sahib JATINDRA MOHAN SEN: Mr. President, Sir, we feel it extremely difficult to follow the proceedings of the House to-day as they are being hurried through. As a matter of fact you know, Sir, the Hon'ble the Revenue Minister found himself at sea when he noticed that one of his own amendments, which was considered to be very important, was passed over through inadvertence on his part. Further, Sir, we have not received copies of any of these amendments.

Mr. PRESIDENT: Order, order. You can raise any point of order when a particular amendment is moved of which sufficient notice has not been given. If it has not the support of the members of the House, then I shall not allow that particular amendment to be moved.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I beg to move that in section 14A of the said Regulation—

(a) in paragraph (b) of the first clause, after the words "together with interest", the words "up to the date of sale" shall be inserted; and

(b) after seventh clause the following clause shall be inserted, namely:—

"*Eighth.*—The provisions of this section shall apply to the setting aside of the sale of a share or portion of a *patni taluk* whenever a separate account shall have been ordered to be opened in respect of such share or portion under section 6A."

Mr. PRESIDENT: Amendment moved—

that for clause 9, the following be substituted—

9. In section 14A of the said Regulation—

(a) in paragraph (b) of the first clause after the words "together with interest" the words "up to the date of sale" shall be inserted; and

(b) after seventh clause the following clause shall be inserted, namely:—

"*Eighth.*—The provisions of this section shall apply to the setting aside of the sale of a share or portion of a *patni taluk* whenever a separate account shall have been ordered to be opened in respect of such share or portion under section 6A."

Mr. PRESIDENT: Khan Bahadur Rezzaqul Haider Chowdhury.

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: I accept this amendment. Under section 14A, the defaulting tenure-holder has got the option to deposit the money within one month and the same privilege is going to be given to the co-sharer when he opens a separate account.

Mr. PRESIDENT: The question before the House is: that—
9. In section 14A of the said Regulation—

(a) in paragraph (b) of the first clause after the words “together with interest” the words “up to the date of sale” shall be inserted; and

(b) after seventh clause the following clause shall be inserted, namely:—

“*Eighth.*—The provisions of this section shall apply to the setting aside of the sale of a share or portion of a *patni taluk* whenever a separate account shall have been ordered to be opened in respect of such share or portion under section 6A.”

(The motion was agreed to.)

Mr. PRESIDENT: The question before the House is: that clause 9, as amended, stand part of the Bill.

(The motion was agreed to.)

Clause 10.

Mr. PRESIDENT: Clause 10 stands part of the Bill.

(After a pause.) The question before the House is: that clause 10 stand part of the Bill.

(The motion was agreed to.)

Mr. PRESIDENT: Clause 11 stands part of the Bill.

Khan Sahib ABDUL HAMID CHOWDHURY: I beg to move that in clause 11 of the Bill, for the entire fifth paragraph of the proposed section 17A, the following be substituted:—

“A person becoming entitled to a *patni taluk* by succession or by transfer shall not be entitled to receive by registered post the notices referred to in clauses second and third of section 8, unless the duties imposed upon him by this section have been performed.”

Sir, this amendment is meant only to remove hardship which, I think, the sub-clause (b) of the fifth paragraph of the Bill, clause 11 will cause to those who will become entitled to a *patni taluk* by succession or by transfer. Under the Bill, clause 11, as it now stands, it has been provided that one acquiring a *patni taluk* by succession or by transfer will be debarred from the right of recovery by suit or other proceeding any rent payable to him unless the duties imposed upon him by this section regarding notice of the succession or transfer, as the case may be, together with his name and address to be given to the Collector in prescribed form as well as payment of the process fee for the service of the notice on the zamindar. Sir, by my amendment I propose to remove this disability which has no justification. This is the only object of my amendment. With these few words I commend my amendment to the acceptance of the House.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:
I rise to oppose it. There will be practical difficulties in this matter. As a matter of fact, if the successor does not register his name, it will be difficult to sue him with a post-card notice, because no one will know the name of the successor. If the intention of the clause is to send a personal notice also, in that case the name of the successor should be registered. Otherwise, how will the person to whom the notice is to be sent be known?

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: Possibly, the Raja Bahadur could not follow the amendment proposed. It would mean only that those who want to take advantage of section 8 to have a registered notice, must register their names in the *zamindari sherista*. That is the provision. So, there will be no difficulty. I accept the amendment.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I think the Raja Bahadur has made his objection under a misapprehension. In fact, his object will be fully served by the amendment which has been moved by Khan Sahib Abdul Hamid Chowdhury, namely—

“A person becoming entitled to a *patni taluk* by succession or by transfer shall not be entitled to receive by registered post the notices referred to in clauses second and third of section 8, unless the duties imposed upon him by this section have been performed.”

That is to say, unless a person or his successor in interest gets his name registered, he will not be entitled to get notice by registered post. So, that meets the objection of the Raja Bahadur.

Mr. PRESIDENT: The question before the House is: that in clause 11 of the Bill for the entire fifth paragraph of the proposed section 17A, the following be substituted:—

“A person becoming entitled to a *patni taluk* by succession or by transfer shall not be entitled to receive by registered post the notices referred to in clauses second and third of section 8, unless the duties imposed upon him by this section have been performed.”

(The motion was agreed to.)

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:
I beg to move that at the end of paragraph 1 of clause 11 of the Bill, the following be added, namely:—

“together with the landlord fee as provided under sections 12 and 15 of the Bengal Tenancy Act.”

I think there is some clerical mistake in this clause. The object of the Bill is to bring the *patni* tenure in the same category with that of the tenure as defined in the Bengal Tenancy Act. So, it is desirable that there should be a landlord fee for mutation. Under the Bengal Tenancy Act, 100 per cent. of the annual *jama* has been provided as the maximum. So, I think this should be added.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I suggest that if instead of your wording you accept my wording, it would be better.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:
I have no objection to accept that wording.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: With your permission, I beg to move: that after first paragraph of proposed section 17A, the following shall be added, namely:—

“and shall send with the notice a fee of such amount as is specified in sections 12 and 15 of the Bengal Tenancy Act, 1885.”

Khan Sahib ABDUL HAMID CHOWDHURY: The Bill, clause 11, has already been amended.

Mr. PRESIDENT: It has been partially amended.

Amendment moved: that after the first paragraph of proposed section 17A, the following shall be added, namely:—

“and shall send with the notice a fee of such amount as is specified in sections 12 and 15 of the Bengal Tenancy Act, 1885.”

Khan Bahadur, REZZAQUL HAIDER CHOWDHURY: I oppose this amendment. I am not against giving alienation fee in case of a partial transfer even. Sections 12 and 15 are not applicable in the case of the *patnidar*. If this amendment is accepted, complications will arise. Unless it is modified, we cannot accept it.

Mr. PRESIDENT: The question before the House is: that after first paragraph of proposed section 17A, the following shall be added, namely:— •

“and shall send with the notice a fee of such amount as is specified in sections 12 and 15 of the Bengal Tenancy Act, 1885.”

The House then divided with the following result:—

AYES—16.

Chakraverti, Mr. Shrish Chandra.
Choudhury, Mr. Moazzemali.
Das, Mr. Lalit Chandra.
Dutta, Mr. Kamini Kumar.
Gowami, Mr. Kanai Lal.
Kabir, Mr. Humayun.
Maitra, Rai Bahadur Brojendra Mohan.
Mookerjee, Mr. Naresh Nath.

Mookerji, Dr. Radha Kumud.
Mukherji, Rai Bahadur Satis Chandra.
Ormond, Mr. E. C.
Pai Chowdhury, Mr. Ranajit.
Roy, Mr. Amulya Dhone.
Son, Rai Sahib Jatintra Mohan.
Sinha, Rai Bahadur Surendra Narayan.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.

NOES—18.

Ahmed, Mr. Meshahuddin.
Barua, Dr. Arabinda.
Chowdhury, Khan Sahib Abdul Hamid.
Chowdhury, Mr. Khorshed Alam.
Chowdhury, Mr. Hamidul Huq.
Chowdhury, Khan Bahadur Rezzaqui Haider.
D'Rozario, Mrs. K.
Esmail, Alhaj Khwaja Muhammed.
Haider, Nawabzada Kamruddin.

Hossain, Mr. Latafat.
Karim, Khan Bahadur M. Abdul.
Khan, Khan Bahadur Muhammad Asaf.
Momin, Begum Hamida.
Rahman, Khan Bahadur Ataur.
Rahman, Khan Bahadur Mukhlesur.
Rashid, Khan Bahadur Kazi Abdur.
Shamsuzzoha, Khan Bahadur M.
Singh Roy, Mr. Saitwar.

Mr. PRESIDENT: Order, order. The House has divided: the “Ayes” being 16 and the “Noes” 18, the amendment is negatived.

Clause 11.

Mr. PRESIDENT: Clause 11 stand part of the Bill.

(After a pause.) The question before the House is: that clause 11, as amended, stand part of the Bill.

(The motion was agreed to.)

Short Title and Preamble.

Mr. PRESIDENT: The question before the House is: that the Short Title and Preamble be added to the Bill.

(The motion was agreed to.)

Khan Bahadur REZZAQUL HAIDER CHOWDHURY: Sir, I beg to move that the Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as settled in the Council, be passed.

Mr. PRESIDENT: Motion moved: that the Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as settled in the Council, be passed.

The question before the House is: that the Bengal Patni Taluks Regulation (Amendment) Bill, 1938, as settled in the Council, be passed.

(The motion was agreed to.)

The Bengal Abolition of Dowry Bill, 1938.

Rai SURENDRA NARAYAN SINHA Bahadur: Mr. President, Sir, I beg to move that the Bengal Abolition of Dowry Bill, 1938, be taken into consideration. This was introduced in this Council as far back as August, 1938, when it was published in the "Calcutta Gazette." Immediately on its publication it was supported by associations like the Bengal Hindu Sabha, the Kayastha Sabha, and other similar bodies. Attempts have been made by me every session to have it considered either for Select Committee or for final passing. It was only during the last session that I succeeded in getting it discussed by the Council and it was about to be taken into consideration when the Hon'ble Minister in charge of the Judicial Department asked for formal circulation before consideration. I was induced to make the conclusion that the Government would not have any objection to its passing after such formal circulation. Various opinions have been elicited, but all progressive opinions are in its favour. Since the introduction of Provincial Autonomy, other provinces, like Sind and Bihar, have placed similar Bills on their Statute Book. I hope no member would like to see Bengal lagging behind. I think it will not be necessary for me to enlarge on the merits of the Bill. The evils of the dowry system are more rampant in Bengal than in any other province, and no time should be lost in passing the Bill. No Select Committee is required for a short measure, like this, and the alterations and improvements suggested may be effected at the consideration stage.

As my present term of membership expires by the first week of April, I hope the members will pass it before that time as a special case without waiting for the labours of a Select Committee.

With these words, Sir, I commend my Bill to the consideration of the House.

Rai SURENDRA NARAYAN SINHA Bahadur: Sir, I further beg to submit that I have already asked for your permission to move in this House for the consideration of the Bill, and I now also do formally move for your permission in allowing me to move this motion for consideration by the House.

Mr. PRESIDENT: Before I place this motion before the Council, I find that under section 53(4) of the Bengal Legislative Council Procedure Rules, the honourable member cannot move this motion for consideration at this stage unless, in exercise of its discretionary powers the Chair suspends the rule. He should have moved that the Bill be referred to a Committee of the whole House or to a Select Committee. I should like to hear if there is any objection from honourable members to suspending this rule. Ordinarily, the Rai Bahadur should have moved for reference of his Bill to a Select Committee.

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Sir, we received notice of this amendment just on the 20th of this month and not even three days have passed since then. Unless we get sufficient time to consider the matter thoroughly, we cannot be in a position to make up our minds in the matter. No doubt, I approve of the principle of the Bill but the matter should go to a Select Committee. Unless it is thrashed out in the Select Committee, it will not be possible for this House to come to a decision about the details of the Bill. So, I propose that instead of hurrying the matter in the way suggested by my friend, the mover, it should first of all be discussed threadbare in the Select Committee. I, therefore, request the Chair as well as my friend, Rai Surendra Narayan Sinha Bahadur, that we should not unnecessarily hurry the matter, as the matter is full of difficulties and complications. As far as my knowledge of the thing goes, it is so complicated that unless it is thoroughly discussed by a Select Committee, it would not be possible for us to come to any definite conclusions. I, therefore, appeal to you, Sir, to consider this and to see that the Select Committee actually decides the matter and the Bill is brought in here after that.

Mr. PRESIDENT: Sir. Bijoy, I should like to have your views on this particular point.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I agree, Sir, with my Hon'ble colleague, the Nawab Bahadur that this Bill is of a far-reaching character and will affect the society considerably. As such, the House ought not to commit itself to its principle before the matter is considered in detail in a Select Committee. I, therefore, should certainly prefer reference of the Bill to a Select Committee to consideration of the same on the floor of this House just now at such a very short notice.

Mr. PRESIDENT: Mr. Kamini Kumar Dutta, the Chair has been requested to suspend Rule 53 of the Bengal Legislative Council Procedure Rules in connection with the motion already moved by Rai Bahadur Surendra Narayan Sinha. What are your views on the matter?

Mr. KAMINI KUMAR DUTTA: Sir, I agree with the two Hon'ble Ministers that a measure of this nature should be very carefully gone into and that for that purpose it ought to go to a Select Committee.

Mr. PRESIDENT: I have heard the opinions expressed on behalf of Government as well as on behalf of the Opposition and after hearing them, I am not disposed to suspend the rule in this case. This Bill should now go to a Select Committee.

Rai SURENDRA NARAYAN SINHA Bahadur: In view of the opinion expressed by the Chair, I hope the motion of Mr. Mesbahuddin Ahmed for reference of the Bill to a Select Committee will be accepted.

Mr. PRESIDENT: Order, order, it is only the honourable member in charge of the Bill who can move for reference to select committee and not anybody else. As you have not given any notice of referring the Bill to a select committee, it cannot be done now.

The Bengal Patni Taluks Regulation (Amendment) Bill, 1939.

Khan Sahib ABDUL HAMID CHOWDHURY: I beg to move that the Bengal Patni Taluks Regulation (Amendment) Bill, 1939, be referred to a Select Committee consisting of—

- (1) The Hon'ble Sir Bijoy Prasad Singh Roy, Minister-in-charge of the Revenue Department,
- (2) Mr. Kamini Kumar Dutta,
- (3) Mr. Naresh Nath Mookerjee,
- (4) Mr. Saineswar Singh Roy,
- (5) Khan Bahadur Naziruddin Ahmad,

- (6) Mr. Khorshed Alam Chowdhury,
- (7) Mr. Kader Baksh,
- (8) Mr. H. C. A. Hunter,
- (9) Raja Bhupendra Narayan Sinha Bahadur,
- (10) Mr. Mesbahuddin Ahmed, and
- (11) the mover,

with instructions to submit their report by the 31st March, 1940, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

This is a very short Bill and it has become shorter still by the passing of a similar Bill just now at the instance of the Khan Bahadur Rezzaqul Haider Chowdhury. I find a notice given on behalf of Government for circulation of this Bill, but I can assure this House that this Bill is too short to require circulation. As a matter of fact, almost all the clauses of the Bill have been considered by the one which has just been passed. There is only one clause which requires to be considered. It can be considered in a Select Committee. So, I would appeal to the Hon'ble Minister in charge of the Revenue Department not to move his motion for circulation, and I appeal to the House to accept this proposition of mine.

• **Mr. PRESIDENT:** Motion moved that the Bengal Patni Taluks Regulation (Amendment) Bill, 1939, be referred to a Select Committee consisting of—

- (1) The Hon'ble Sir Bijoy Prasad Singh Roy, Minister-in-charge of the Revenue Department,
- (2) Mr. Kamini Kumar Dutta,
- (3) Mr. Naresh Nath Mookerjee,
- (4) Mr. Saileswar Singh Roy,
- (5) Khan Bahadur Naziruddin Ahmad,
- (6) Mr. Khorshed Alam Chowdhury,
- (7) Mr. Kader Baksh,
- (8) Mr. H. C. A. Hunter,
- (9) Raja Bhupendra Narayan Sinha Bahadur,
- (10) Mr. Mesbahuddin Ahmed, and
- (11) the mover,

with instructions to submit their report by the 31st March, 1940, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I am inclined to agree with my honourable friend the mover of the Bill. After the Bill which the House has just accepted, namely, the Bill of Khan Bahadur Rezzaqul Haider Chowdhury, this Bill is now practically reduced to one clause. I have no objection to the Bill being referred to a Select Committee and I do not move my motion.

Mr. PRESIDENT: The question before the House is that the Bengal Patni Taluks Regulation (Amendment) Bill, 1939, be referred to a Select Committee consisting of—

- (1) The Hon'ble Sir Bijoy Prasad Singh Roy, Minister-in-charge of the Revenue Department,
- (2) Mr. Kamini Kumar Dutta,
- (3) Mr. Naresh Nath Mookerjee,
- (4) Mr. Saileswar Singh Roy,
- (5) Khan Bahadur Naziruddin Ahmad,
- (6) Mr. Khorshed Alam Chowdhury,
- (7) Mr. Kader Baksh,
- (8) Mr. H. C. A. Hunter,
- (9) Raja Bhupendra Narayan Sinha Bahadur,
- (10) Mr. Mesbahuddin Ahmed, and
- (11) the mover,

with instructions to submit their report by the 31st March, 1940, and that the number of members whose presence shall be necessary to constitute a quorum shall be five.

(The motion was agreed to.)

The Bengal Local Self-Government (Amendment) Bill, 1937.

Mr. HUMAYUN KABIR: I beg to move that the Bengal Local Self-Government (Amendment) Bill, 1937, be referred to a Select Committee consisting of—

- (1) The Hon'ble Nawab Khwaja Habibullah Bahadur, Minister-in-charge of the Public Health and Local Self-Government Department,
- (2) Khan Bahadur M. Abdul Karim,
- (3) Khan Bahadur Ataur Rahman,
- (4) Mr. Nur Ahmed,
- (5) Mr. D. J. Cohen,
- (6) Mr. Naresh Nath Mookerji,

- (7) Mr. Kamini Kumar Dutta,
- (8) Raja Bhupendra Narayan Sinha Bahadur,
- (9) Mr. B. C. Dutta,
- (10) Mr. E. C. Ormond, and
- (11) the mover,

with instructions to submit their report by the 30th June, 1940, and that the presence of four members shall constitute a quorum.

I must confess that I am somewhat surprised that the Hon'ble Minister in charge of the Department is going to move that this Bill should again be circulated for eliciting opinion thereon by the 31st December, 1940. I thought that by now the Hon'ble Minister would be grateful to me for introducing a Bill of this kind. I can quite understand that when this Bill was first introduced, two or three years ago, the Hon'ble Ministers opposed it because they did not know what nomination meant at that time. They probably wanted to keep power in their hands, because they thought that by the judicious use of the power of nomination, they would be able to keep their party together, and that it would help to consolidate their position in the districts. I think by now the Hon'ble Ministers themselves will have realised that nomination is not such a powerful instrument or so beneficial to them as they had at first thought. There has been such an increase in the number of members to the Legislature to-day that nomination has become a positive danger to the Ministry instead of being a help.

Formerly, there were only a few members from each district and generally all the members of the Legislature could be provided with nominated seats. Those members were often grateful to the Cabinet, because it saved them the trouble of going through an arduous election. To-day, the number of seats is very often less than the number of members of the Legislature from a particular district and the Hon'ble Ministers, I think, cannot deny that occasionally there have been great difficulties in dealing with the question of nomination. It has put them in such a peculiar position that they do not know what to do. Although in a particular district board or municipality, an election has taken place and one year or probably 18 months have elapsed, yet the Ministry do not know its own mind. It cannot choose between the different candidates for nomination. Therefore, Sir, a Bill, the primary object of which is to do away with nomination, should have been welcomed by the Ministry.

So far I have been talking from the point of view of the Cabinet. They ought to be grateful for this move to abolish nomination; but from the point of view of the general public, it would be of still greater advantage. The public to-day know that through nomination very often most undesirable persons are put into positions of power which

they could not have otherwise captured. It is on account of the support of the nominated block that certain powers are conferred on incompetent persons and they abuse that power. I think every one will agree, and here again the Hon'ble Ministers cannot deny, that the District Boards and Municipalities are not carrying on their functions as efficiently or as much in the interest of the public as they ought to. One of the main reasons for this is nomination, because through nomination undesirable persons have come in and if they come to power through nomination, their main interest is the continuance of that power rather than doing good to the members of the community whose interests have been placed in their charge.

Besides, Sir, on account of the existence of nomination, many district board chairmen, many chairmen of the municipalities feel that they need not care for public opinion. They are able to defy public opinion, because they know that the Ministers are behind them and through the Hon'ble Ministers nominations will come in their pockets safely. They have defied public opinion and in spite of their abuse of power, in spite of their gross inefficiency, time after time, the same set of men come in power in the local bodies. From the point of view of the public, therefore, it is very necessary to-day that nomination should be abolished.

There are also questions of general principle. I do not propose to go into the details at this stage, for it is accepted on all hands to-day that nomination goes against the very principle of democracy which we want to extend to different spheres of our civic and political life. From that point of view also, nomination should be abolished.

There is a second item in my Bill which I am afraid the members of the Legislature might not like equally. There is a proposal to differentiate the functions between the Local Government and the Provincial Government. It is one of the purposes of my Bill that no Chairman of a district or a municipality shall, as Chairman of the district board or municipality, seek election to either of the Houses of Legislature. The reasons are quite obvious. Very often the machineries of these local bodies are utilised in order to further the electioneering interests of a particular chairman and not to serve the purpose for which these bodies have been made. Nor is this all. There is a more important question and that is that if the functions are divided, we can expect greater efficiency, we can expect greater attention to the details with regard to each particular item. To-day, the same man is a member of the Legislature and the chairman of a district board or of a municipality or of a co-operative bank and God knows of how many other different institutions in the locality. Very often he cannot pay proper attention to any of these and consequently there is a great deal of inefficiency, a great deal of wastage of time, a great deal of wastage of public money as well, because these people hold offices but do not perform the work for which they are meant to be there.

There is also a third item in this Bill to which the Hon'ble Minister cannot in principle object. That is a question of introducing adult male franchise so far as the local bodies are concerned. To-day all over the country we want adult male franchise, even if we cannot introduce adult franchise immediately. If we cannot introduce this system in the provincial Legislature, it is right and proper that a beginning should at least be made in the local bodies.

These are considerations which the Ministry should bear in mind. I would like to say as a warning to the Ministry that if they do not abolish nomination, very likely nomination will finish them. If they do not do away with nomination, nomination will in all probability do away with them.

Mr. PRESIDENT: Motion moved: that the Bengal Local Self-Government (Amendment) Bill, 1937, be referred to a Select Committee consisting of—

- (1) The Hon'ble Nawab Khwaja Habibullah Bahadur, Minister-in-charge of the Public Health and Local Self-Government Department,
- (2) Khan Bahadur M. Abdul Karim,
- (3) Khan Bahadur Ataur Rahman,
- (4) Mr. Nur Ahmed,
- (5) Mr. D. J. Cohen,
- (6) Mr. Naresh Nath Mookerji,
- (7) Mr. Kamini Kumar Dutta,
- (8) Raja Bhupendra Narayan Sinha Bahadur,
- (9) Mr. B. C. Dutta,
- (10) Mr. E. C. Ormond, and
- (11) the mover,

with instructions to submit their report by the 30th June, 1940, and that the presence of four members shall constitute a quorum.

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:
I beg to move that the Bill be re-circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

In moving this motion for re-circulation, I may say that I do not move it for the reasons which have been given by my learned friend opposite. He has talked a lot in regard to nomination. He said that Government desire nomination to be kept for keeping themselves in power or for gaining the power. I wish to inform him in this connection that this Government have come to power not through the back door but through the open door. Therefore, it is not necessary for the Government to continue the system of nomination in order to keep

them in power. What I wish to explain to my friend, the mover, is that he knows and the House knows that this Department has very lately come into my hand. Since I have taken charge of the office of the Minister of Local Self-Government, I have tried to see that most of these local Self-Government Acts and Village Self-Government Acts are changed, because these Acts were passed years and years ago. For modern times and modern circumstances, it is necessary that there should be a comprehensive change in these Acts. With this end in view, the Government have appointed a Special Officer who is already going into the question, and I am sure honourable members and the House are aware that circulars have been issued as also questionnaire to different local bodies inviting opinions on such questions as nomination, adult franchise and certain other allied matters.

Mr. LALIT CHANDRA DAS: Is there anything about communal electorate?

The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca:
That is quite a different matter altogether.

In reply to the circulars and questionnaire issued, Government have been receiving replies which are so varied and so different from one another! Moreover, all the replies have not yet been received. As regards the question of nomination, personally speaking, my honest opinion is that it should be given up altogether. Though it is my personal opinion, yet all the other sections of the House, especially the minorities, should have their own say. So, it is absolutely essential that Government should get the opinion of all sections of the people and then only they should come to conclusions. As I said, it is not an easy task. It has got hundreds and hundreds of sections. The honourable member cannot expect the Government, I mean the Minister-in-charge, to bring up a comprehensive Bill all at once. But I can assure him that several of these Bills would be coming up before the House in July, and some others may come up in the session after July. I can assure the members and the House that this motion of mine is not meant to have recourse to any dilatory tactics, nor should it be misunderstood that I wish that this Bill should be killed. What I want to say once again is that Government is really sincere and earnest about the matter and is going to bring these amending Bills very soon before the House. With this assurance, Sir, I would request the honourable member to accept my amendment. If not, I shall have to oppose his amendment for reference to a Select Committee and request the House to accept my amendment for recirculation.

Mr. PRESIDENT: Motion moved: That the Bengal Local Self-Government (Amendment) Bill, 1937, be re-circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

Mr. KADER BAKSH: Sir, in my humble opinion resolutions should be brought forward for the purpose of abolishing the present practice of nominations, —not on the ground which my honourable friend has adduced but on the ground that in this democratic age nominations are an anachronism. I strongly resent the remarks of my honourable friend opposite.

Mr. HUMAYUN KABIR: I withdraw them.

Mr. KADER BAKSH: My honourable friend has suggested that through the back-door of nominations undesirable persons get into local bodies, etc. He may have some personal grudge as regards this system of nomination, but since a clear assurance has been given by the Hon'ble Minister in charge, in the course of which he has dealt with all the points raised by Mr. Kabir, I would only request my friend not to press his motion but to withdraw it.

Mr. PRESIDENT: The question before the House is: that the Bengal Local Self-Government (Amendment) Bill, 1937, be re-circulated for the purpose of eliciting opinion thereon by the 31st December, 1940.

(The motion was agreed to.)

The Bengal Shop Prices Regulation Bill, 1938.

* **Mr. HUMAYUN KABIR:** Mr. President, Sir, I beg to move that the Bengal Shop Prices Regulation Bill, 1938, be referred to a Select Committee consisting of—

- (1) The Hon'ble Minister in charge of the Commerce and Labour Department,
- (2) Khan Bahadur Ataur Rahman,
- (3) Khan Bahadur Shaikh Muhammad Jan,
- (4) Khan Bahadur S. Fazal Ellahi,
- (5) Mr. Naresh Nath Mookerji,
- (6) Mr. H. P. Poddar,
- (7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
- (8) Rai Sahib Jatindra Mohan Sen,
- (9) Mr. D. J. Cohen,
- (10) Khan Sahib Abdul Hamid Chowdhury, and
- (11) the mover,

with instructions to report by the 30th June, 1940, and that the presence of three members shall constitute a quorum.

Well, Sir, this is a very simple Bill, and the general principle underlying it has already been accepted by Government, because we find that they have already regulated the prices to some extent. I would only mention that if this Bill had been accepted earlier, there would have been no occasion for the promulgation of Ordinances or for adopting any special measures, and the object of Government would have been served in the course of events. I, therefore, move that my motion be accepted by the House.

Mr. PRESIDENT: Motion moved: That the Bengal Shop Prices Regulation Bill, 1938, be referred to a Select Committee consisting of—

- (1) The Hon'ble Minister in charge of the Commerce and Labour Department,
- (2) Khan Bahadur Ataur Rahman,
- (3) Khan Bahadur Shaikh Muhammad Jan,
- (4) Khan Bahadur S. Fazal Ellahi,
- (5) Mr. Naresh Nath Mookerji,
- (6) Mr. H. P. Poddar,
- (7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,
- (8) Rai Sahib Jatindra Mohan Sen,
- (9) Mr. D. J. Cohen,
- (10) Khan Sahib Abdul Hamid Chowdhury, and
- (11) the mover,

with instructions to report by the 30th June, 1940, and that the presence of three members shall constitute a quorum.

Mr. PRESIDENT: The question before the House is that the Bengal Shop Prices Regulation Bill, 1938, be referred to a Select Committee consisting of—

- (1) The Hon'ble Minister in charge of the Commerce and Labour Department,
- (2) Khan Bahadur Ataur Rahman,
- (3) Khan Bahadur Shaikh Muhammad Jan,
- (4) Khan Bahadur S. Fazal Ellahi,
- (5) Mr. Naresh Nath Mookerji,
- (6) Mr. H. P. Poddar,
- (7) Raja Bhupendra Narayan Sinha Bahadur, of Nashipur,

- (8) Rai Sahib Jatindra Mohan Sen,
- (9) Mr. D. J. Cohen,
- (10) Khan Sahib Abdul Hamid Chowdhury, and
- (11) the mover,

with instructions to report by the 30th June, 1940, and that the presence of three members shall constitute a quorum.

(The motion was negatived.)

The Calcutta Improvement (Amendment) Bill, 1940.

Mr. KADER BAKSH: Mr. President, Sir, I pray that leave be granted to me to introduce the Calcutta Improvement (Amendment) Bill, 1940.

Sir, my object in bringing a Bill of this nature is to protect those who actually live in Bengal and on the soil of Bengal and who are the sons of Bengal, for they are not given any facilities to purchase sites for residential purposes. Sir, the demand for such sites is very great. Those people who have big bank balances are purchasing all these sites for speculative purposes and for selling the same at a higher bid, I mean at a higher price. Sir, since yesterday I had been out for selecting a piece of land for the purpose of a house being built thereon for one of my friends. We thought that we could purchase one at a cost of 1,200 or 1,300 rupees but the demand, the exorbitant demand, was no less than Rs. 3,000 per *cottah*. Such speculation on the part of the rich to buy at a lower rate and to sell the same at a very high rate stands in the way of the middle-class people, who are the real inhabitants of Bengal, purchasing sites for residential purposes. Now, Sir, it is with a view to put an end to, or at least to restrict, the unlimited hankering after and desire on the part of some selfish people, that the introduction of a bill of this sort is sought. On this ground, Sir, I beg leave of the House to introduce this Bill.

Mr. PRESIDENT: Is it the pleasure of the House to permit Mr. Kader Baksh to introduce the Calcutta Improvement (Amendment) Bill, 1940?

Mr. PRESIDENT: Leave is granted by the House to Mr. Kader Baksh to introduce the Calcutta Improvement (Amendment) Bill, 1940.

(The Secretary then read the short title of the Bill.)

The Bengal Municipal (Amendment) Bill, 1939.

Rai SURENDRA NARAYAN SINHA Bahadur: Sir, I beg leave of the House to introduce the Bengal Municipal (Amendment) Bill, 1939. As there is little time to make a speech, I simply move it.

Mr. PRESIDENT: Leave has been asked by Rai Surendra Narayan Sinha Bahadur to introduce the Bengal Municipal (Amendment) Bill, 1939. Is it the pleasure of the House to grant him such leave?

Mr. PRESIDENT: Leave has been granted by the House to Rai Surendra Narayan Sinha Bahadur to introduce the Bengal Municipal (Amendment) Bill, 1939.

(The Secretary then read the short title of the Bill.)

Rai SURENDRA NARAYAN SINHA Bahadur: Sir, I beg to move that the Bengal Municipal (Amendment) Bill, 1939, be referred to a Select Committee—

Mr. PRESIDENT: What is the number of this motion?

Rai SURENDRA NARAYAN SINHA Bahadur: It is No. XXIX, Sir.

Mr. PRESIDENT: I see you want to have this motion of reference to a Select Committee discussed now. It is the convention of this House not to allow two motions on the same Bill on the same day. I am afraid, you cannot move it now.

Order, order. The Council stands adjourned till 2-15 p.m. on Monday, the 26th February.

Adjournment.

The Council then adjourned till 2-15 p.m. on Monday, the 26th February, 1940.

Members Absent:

The following members were absent from the meeting held on the 23rd February, 1940 :—

- (1) Khan Bahadur Naziruddin Ahmad.
- (2) Mr. Nur Ahmed.
- (3) Rai Bahadur Keshab Chandra Banerji.
- (4) Rai Bahadur Manmatha Nath Bose.
- (5) Mr. Humayun Reza Chowdhury.
- (6) Mr. Bankim Chandra Datta.
- (7) Mr. Narendra Chandra Datta.
- (8) Khan Bahadur S. Fazal Ellahi.
- (9) Khan Bahadur Sayed Muazzamuddin Hosain.
- (10) Mr. Mohamed Hossain.
- (11) Khan Bahadur Syed Muhammad Ghaziul Huq.
- (12) Khan Bahadur Maulvi Muhammad Ibrahim.
- (13) Maulana Muhammad Akram Khan.
- (14) Mr. W. B. G. Laidlaw.
- (15) Mr. H. G. G. Mackay.
- (16) Mr. J. B. Ross.
- (17) Mr. Sachindra Narayan Sanyal.
- (18) Rai Sahib Indu Bhushan Sarker.

THE BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Monday, the 26th February, 1940, at 2-15 p.m. being the fifth day of the First Session, pursuant to section 62 (2) (a) of the Government of India Act, 1935.

Present:

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

QUESTIONS AND ANSWERS

Progress of Moslem education.

20. Khan Bahadur SAIYED MUAZZAMUDDIN HOSSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state if it is a fact that while on the 21st March, 1932, there was an increase of 297,835 Moslem pupils in Bengal, on the same date in 1937 the increase was only 218,420? Is it a fact that the Hindu and Christian pupils showed comparatively greater increase during the same period?

(b) Will the Hon'ble Minister be pleased to state if he has made any enquiry into the cause of this sudden set-back in the progress of Moslem education?

(c) Will the Hon'ble Minister be pleased to state what steps he has taken or intends to take to accelerate the pace of Moslem education in Bengal?

(d) What is the number of scholarships and stipends that are granted by the Government in Bengal? Of these, how many are exclusively for Moslem students?

(e) How many new scholarships and stipends have been created for Moslems by the Government for encouragement of Moslem education in Bengal?

(f) Has the Government of Bengal given effect to the recommendations of the Moslem Education Advisory Committee regarding scholarships and stipends? If not, why not? When is the Government's resolution on the Report of the Moslem Education Advisory Committee expected to be published? Why has it not been published so long?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps have been taken to collect the information which, I regret to say, is not yet ready.

High cost of education.

21. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Is the Hon'ble Minister in charge of the Education Department aware that the high cost of education has been causing hardship to the poor and middle-class people of Bengal?

(b) Will the Hon'ble Minister be pleased to state what measure he has taken or intends to take to reduce the cost of education in Bengal and to increase the percentage of expenditure on education from Government and Local Self-Governing sources?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps have been taken to collect the information which is not ready.

Moslem education.

22. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps he has taken or intends to take to accelerate the pace of the education of Moslem students for the learned professions?

(b) Is it a fact that there is no hostel for Moslem girls in any *mufassil* town of Bengal? If so, will the Hon'ble Minister be pleased to state if he intends to make satisfactory arrangements for the accommodation of Moslem girls in big towns, such as Dacca and Chittagong? If not, why not?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps have been taken to collect the information which, I regret to say, is not yet ready.

Needs of Moslems in educational matters.

23. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state if his attention has been drawn to various resolutions passed during the All-India Moslem Educational Conference held in Calcutta during last Christmas holidays regarding various needs of Moslems in matters educational?

(b) If so, what are those resolutions, and how far does the Government intend to give effect to them or to any of them? If not, why not?

(c) Is it a fact that a resolution recommending establishment of two Senior Madrassahs for girls—one at Chittagong and one at Dacca—was adopted in that Conference? If so, what steps has the Government taken or intends to take to establish a senior Madrassah for girls at Chittagong?

(d) Will the Hon'ble Minister be pleased to state how many madrassahs have been started in Bengal for the education of girls, up to this time, and of these, how many are junior madrassahs and how many are senior madrassahs and how much does the Government spend a year for their maintenance?

(e) Will the Hon'ble Minister be pleased to state what is the total number of vernacular training schools for Moslem girls in Bengal and how many girls were trained in these institutions in the years from 1930 to 1939?

(f) Is it a fact that the Government has decided to start a vernacular training school for girls at Chittagong? If so, when will the school actually be started at Chittagong?

The Hon'ble Sir BIJOY PRASAD SINCH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps have been taken to collect the information which, I regret to say, is not yet ready.

Secondary education for girls.

24. Khan Bahadur REZZAQUL HAIDER CHOWDHURY: (a)

Will the Hon'ble Minister in charge of the Education Department be pleased to state what is the total annual expenditure under the head "Secondary education for girls" in Bengal, district by district?

(b) Are there Government girls' high English schools in all the districts in Bengal?

(c) Does the Government contemplate to have a Government girls' high English school at Noakhali immediately?

(d) Is the Government aware that a non-Government girls' high English school, named Uma Girls' High English School, had been started at Noakhali town in 1934 with the aid of private charities and contributions by the local bodies?

(e) Has the Government contributed any amount for the improvement and upkeep of the said school? If so, how much and for what purpose?

(f) Is it a fact that the financial condition of the school is not sound and that a representation has been made to the Government for enhancement of the monthly grant?

(g) If so, what action has been taken on the same by the Government and what is the decision of the Government, if any?

(h) Will the Hon'ble Minister be pleased to state what is the average monthly income and expenditure of the present Government middle English school at Noakhali?

(i) Has a representation been submitted to the Government from Noakhali for immediate establishment of a full-fledged Government girls' high English school at Noakhali, amalgamating the Government Girls' Middle English School with the Uma Girls' High English School? If so, what action has hitherto been taken in that direction?

The Hon'ble Sir BIJOY PRASAD SINGH ROY (on behalf of the Hon'ble Mr. A. K. Fazlul Huq): Steps have been taken to collect the information which, I regret to say, is not yet ready.

Mr. HUMAYUN KABIR: Sir, are we to understand that this is the only stereotyped reply which the Ministry has go to give to any question that we might put?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir. They are all ad interim replies, as the honourable member may well realize.

Headquarters of Noakhali.

25. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that in reply to a question regarding the location of the headquarters of the Noakhali district, the Hon'ble Minister promised to order the shifting of the present town to a suitable site after inspecting in January the different sites suggested to the Government?

(b) Did the Hon'ble Minister go to the locality to see the different sites? If so, what is now the decision of the Government as to the site where the headquarters of the Noakhali district will be located and when will it be removed there?

MINISTER in charge of the REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (a) No.

(b) Does not arise.

Mr. LALIT CHANDRA DAS: Was there no question asked in the Lower House about the Headquarters of Noakhali by Mr. Harendra Kumar Sur?

Mr. PRESIDENT: Order, Order. No reference is to be made to what happened in the Lower House.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state whether he visited Noakhali for the purpose of selecting a site for the location of the Headquarters of Noakhali?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No, Sir, I regret to say that it has not yet been possible for me to visit Noakhali for the purpose of selection of a site, though I intended to do so. I hope to do so very soon.

Relief to the people of flood-affected areas of Cox's Bazar.

26. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state if a deputation consisting of Mr. Chang Thaung Chowdhury and others waited upon the Collector of Chittagong at Cox's Bazar in December, 1939, and placed before the Collector their prayer for remission of rent and suspension of education cess on the ground of utter devastation caused in Cox's Bazar by the floods of last August?

(b) If so, has the Government taken any steps up to this time with a view to giving necessary relief to the flood-affected areas of Cox's Bazar and other parts of Chittagong? If so, what are they? If not, why not?

(c) Will the Hon'ble Minister be pleased to state what relief he has granted up to this date to the flood-affected areas of Chittagong? Will he be pleased to give a detailed account of the same?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A reference has been made to the local officers and the information wanted by the hon'ble member will be furnished in due course.

Preparation of the electoral roll of the Calcutta Corporation.

27. Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur (on behalf of Rai Bahadur Surendra Narayan Sinha): (a) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state if it is a fact that in the preparation of the electoral roll for the Anglo-Indian Constituency of the Calcutta Corporation, persons who were already on the roll of the Bengal Legislative Assembly were placed in the General Constituency as Europeans without sufficient proof of domicile?

(b) Is it a fact that the Government has received complaints from, amongst others, the Anglo-Indian representatives' associations that the circular of the Government of Bengal defining "Anglo-Indians" and "Europeans" was not properly given effect to in the compilation of the electoral rolls for the ensuing general elections of the Corporation of Calcutta?

The Hon'ble Sir BIJOY PRASAD SINCH ROY (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca): (a) No. The names of the persons who were able to adduce satisfactory evidence before the Registering Authority in support of their claims to be enrolled as voters of the Anglo-Indian Constituency of the Calcutta Corporation in consonance with the definition of the term "Anglo-Indian" in the Calcutta Municipal (Amendment) Act, 1939, were entered as such.

The reports received from the firms in which the persons concerned were employed were also taken into consideration in the preparation of the electoral roll of this Constituency.

(b) No.

High rate charged per unit of electricity in mufassil towns.

28. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state if he is aware that the high rate charged per unit of the consumption of electricity in the *mufassil* towns of Bengal is causing hardship to the consumers of electrical energy and is retarding the progress of local industries?

(b) Is it a fact that in Bihar and other provinces of India, expert Committees were set up to enquire into this matter and that the rate per unit of electrical energy has been reduced in accordance with the recommendations of these Committees?

(c) Does the Government of Bengal intend to set up such a Committee to go into the question of the high rates charged in *mufassil* towns of Bengal for consumption of electricity? If not, why not?

MINISTER in charge of the COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (a) A few complaints have been received so far and in each case of genuine hardship effort has been made to reduce the rates.

(b) I have no official information.

(c) The matter is under consideration.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: With reference to answer (b), will the Hon'ble Minister kindly ask for official information from the local officers?

The Hon'ble Mr. H. S. SUHRAWARDY: I suppose the honourable member means that I should secure the information from Bihar and the other provinces of India. I shall certainly do it, Sir, but the line on which I propose taking up the matter will materially differ from the line which has been taken by them.

Damage to crops caused by wild elephants in certain parts of Noakhali.

29. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): Is the Hon'ble Minister in charge of the Forest and Excise Department aware that wild elephants from the neighbouring forests cause considerable damage to the crops sown by the villagers of the Banskhali thana of Chittagong, and also kill human beings living within the jurisdiction of the said thana? If so, what steps have been taken by the Government to prevent this recurring loss of life and property by wild elephants?

MINISTER in charge of FOREST and EXCISE DEPARTMENT (the Hon'ble Mr. Prasanna Deb Raikut): (Government have no information.)

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Has no information been called for from the local authorities, I mean from the Collector of the district?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Sir, this much I can inform the honourable member that two *shikaris* have been appointed and one tracker engaged to kill the elephants.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Then, am I to take it that there has been loss of human lives?

The Hon'ble Mr. PRASANNA DEB RAIKUT: No, Sir. There has been no loss of life.

Mr. RANAJIT PAL CHOUDHURY: Then, what is the object of Government in appointing two Shikaris to kill the elephants?

The Hon'ble Mr. H. S. SUHRAWARDY: These elephants cause damage to crops.

The Hon'ble Mr. PRASANNA DEB RAIKUT: It is just to kill the wild elephants so that they may not destroy paddy and other crops.

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur: Did the Hon'ble Minister get the department concerned to enquire and report on the facts?

The Hon'ble Mr. PRASANNA DEB RAIKUT: If the honourable member puts a specific question, I will be prepared to ask for and obtain the information and answer his question.

Operations of Forest Laws and Rules.

30. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Mr. Nur Ahmed): (a) Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state in detail the measures adopted by the Government of Bengal to give relief to the villagers living near the Reserve forests in respect of their grievances regarding the operation of Forest Laws and Rules and also of *raiyeetees* and licence fees payable by them?

(b) Is it a fact that the Hon'ble Chief Minister during his last visit in January, 1939, assured the people of Chittagong that he would remove their main grievances regarding the Chittagong forest administration? If so, what steps have been taken by Government up to this time to implement the Chief Minister's assurances? If so, what are they?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I regret that the information which requires reference to the local officers cannot be supplied within the prescribed period.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Has the information been at all called for from the local officers and will it be supplied in due course?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes, Sir.

Excise shops.

31. Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN (on behalf of Khan Bahadur Ataur Rahman): Will the Hon'ble Minister in charge of the Forest and Excise Department be pleased to state—

(a) how many excise shops in each district of Bengal and in Calcutta have been let out to new vendors during the financial year 1939-40;

- (b) how many of the new vendors are Hindus and how many are Moslems; and
- (c) what is the average annual income of each of the shop so let out in the year 1939-40?

The Hon'ble Mr. PRASANNA DEB RAIKUT: I regret that it has not been possible to collect the necessary information within the time allowed.

Khan Bahadur SAIYED MUAZZAMUDDIN HOSAIN: Will the Hon'ble Minister kindly collect the information and place it before the House in due course?

The Hon'ble Mr. PRASANNA DEB RAIKUT: Yes, Sir.

Mr. PRESIDENT: I think an explanation should be added to such interim answers.

The Bengal Tenancy (Third Amendment) Bill, 1939.

The Hon'ble Sir BIJOY PRASAD SINCH ROY: Sir, on the 22nd of this month, I gave notice of a motion to move for the consideration and passing by this House of the Bengal Tenancy (Third Amendment) Bill, 1939, which had been passed by the Bengal Legislative Assembly. There was no mention of the date on which the motion would be moved. I understand that the date has been fixed for the 29th instant. So, Sir, may I now move the motion formally with the date inserted therein?

Mr. PRESIDENT: I take it that you propose to move the motion on the 29th.

The Hon'ble Sir BIJOY PRASAD SINCH ROY: Sir, I have the honour to give notice that in the current session of the Bengal Legislative Council and on the 29th instant I shall move that the Bengal Tenancy (Third Amendment) Bill, 1939, as passed by the Bengal Legislative Assembly, be taken into consideration and passed, as settled in the Council.

Mr. PRESIDENT: Any member desiring to give notice of amendments either for circulation of the Bill or for reference of the same to a Select Committee will please do so by 3 p.m. to-morrow. The Bill will be taken up for consideration, clause by clause, on the 11th March, 1940.

The House will now resume further discussion on the Budget. Members desiring to take part in the discussion to-day will please rise in their places, so that I can ascertain the number of members that are likely to speak to-day, taking into consideration the amount of time at my disposal.

(Some members stood in their places.)

Khan Bahadur M. ABDUL KARIM: Mr. President, Sir, will the Budget discussion continue to-morrow?

Mr. PRESIDENT: Yes.

Khan Bahadur M. ABDUL KARIM: Then, I shall take part in to-morrow's discussion.

Mr. BANKIM CHANDRA DATTA: I shall also take part in the discussion to-morrow, Sir.

Mr. PRESIDENT: Under the Governor's Rules, the Chair has the right to fix the maximum time. Accordingly, I allot 20 minutes for each speaker to-day. The Finance Minister will get about an hour to-morrow to reply to the points raised by the speakers.

Mr. Humayun Kabir was in possession of the House on the last day when there was Budget discussion, and he will now continue his speech.

General Discussion on Budget.

Mr. HUMAYUN KABIR: Mr. President, Sir, when I was speaking on the Budget at the last meeting, the point at which I left was the consideration whether there was any emergency in Bengal so far as the financial position of this province was concerned. I was suggesting to the Hon'ble Finance Minister that, far from this being the case, we are not suffering from any financial stringency at all in Bengal to-day. Exactly the reverse is the case. I was also suggesting to the Hon'ble Finance Minister that the prices of all raw materials have gone up and it is most likely that these prices will continue to remain high. There has been an almost unprecedented impetus given to the development of the industries in this province, as in the rest of India. I do not know if all members of this House know that at present one of the largest, if not the largest, blast furnaces in the world has been built in Tatanagar. I do not know if honourable members of this House know that we are going to have in Kanchrapara, one of the biggest locomotive manufacturing concerns, probably the biggest in the whole of the East. Sir, these are merely two indications of the way in which

the growth of big industries in this province is going to be accelerated as a result of the present war conditions in Europe. Again, Sir, I do not know if honourable members of this House know that there has been an almost unprecedented growth in the development of the armaments industry in this province. A very large number of munition factories have been started. Of course, there was in existence a factory in Bengal from before. Its progress has been accelerated and new ones have been started, and it is almost inevitable that, with the passage of time, still more factories will be started. In fact, if war conditions continue for any length of time, and from a consideration of the situation it seems incredible that the war would stop at least before a couple of years, it is almost certain that India will find herself in a very advantageous position at the end of the war so far at any rate as the heavy industries are concerned. I would like honourable members of this House to remember that out of the last Great War, the United States of America and Japan emerged as the two greatest industrial countries of the world. Before that time, it was British capital which dominated the whole world and it was British industry which held the pride of places. As a result of the last Great War, all the British industrial resources, and the total British productive capacity were diverted to the production of armaments only with a view to winning the war. As a result of this, Japan and the United States of America forged ahead and built up the position which they enjoy to-day. It is almost certain that, as a result of the present war, which as I have suggested a moment ago, does not show any chance of ending soon considering the belligerents on either side, it is almost inevitable that India will find herself in the same position so far as industry and finance are concerned. Therefore, Sir, I think that the Hon'ble Minister in his prognostication, in his pessimistic estimate of the financial prospect of the province, is not justified and I would add that we do not expect this sort of pessimistic outlook from him, for we have been accustomed to associate with him a great deal of optimism and a great deal of daring. In such circumstances, I think the Finance Minister can very rightly take up a more enterprising attitude than has actually been done.

Again, I would like to draw the attention of the Hon'ble Finance Minister to certain lines by proceeding along which the position of the Bengal Government can be improved. It is about two years ago that in discussing the Budget in this House, I suggested that if Government are looking about for money for nation-building departments, i.e., for primary education, etc., there is a sort of a tax which can be imposed without any undue hardship on the agriculturists, without any undue hardship on the middle-class people, and which can be paid out of the profits of capital. I refer to the Jute Processing Duty, on the lines of the cotton processing duty which is levied on cotton production in America. Jute manufacturers in Bengal have certain advantages.

They do not have to pay the freight cost and other incidental charges which the mills in other countries have to do. Here there is a possibility of tapping a source of revenue which will give a large income to the Government of Bengal without causing undue hardship to the agriculturists and to the middle classes.

Again, Sir, there were also questions to which I drew the attention of the Hon'ble Finance Minister who was then holding the portfolio of Labour and Commerce. It is a fact that, Sir, in Bengal to-day we have certain advantages so far as the cotton industry, the textile industry and the heavy chemical industry are concerned. In all these industries, Bengal has natural advantages and in spite of that, developments along these lines have not gone as far as they ought to have done. The present is the time, I think, Sir, when, if Government had any initiative, or at least if Government started giving patronage, there might have been far greater development along these lines.

I am constrained to make one or two remarks with regard to what my honourable friend Mr. Ross has said relating to the position of coal mines in Bengal. It is a well-known fact that there is such a colossal wastage of the resources of the province with respect to coal at the present moment on account of uneconomic mining that it is a standing scandal. Speaking from memory, I believe that the average loss to the province per day is in the neighbourhood of about Rs. 15 lakhs. That is the average loss to the province on account of the uneconomic and unscientific way in which the coal wealth of the province is being exploited. In fact, Sir, even those who are casual observers, those who travel along the mines, have noticed the way in which even the small coal mines are coming into operation ever since the war began. There is no proper plan for the use of the coal resources of the province. There is no attempt to carbonizing the coal and using it in a scientific manner by conserving the resources and distributing the energy from the pit-heads themselves. The old 19th century methods are being followed in the province with an eye to immediate profit, but without any regard whatsoever to the ultimate benefit of the province. This has become a scandal. Here again, I think, Government have a duty and also a field which they can tap with profit.

These are some of the suggestions with regard to the sources which the Government may very profitably tap in order to contribute to the nation-building departments of the province. But, Sir, before that, we have to be convinced of one fact, namely, that the money so derived will be utilised for the nation-building departments. That is a point on which we on this side of the House and I think from the speeches which we have heard from the other side of the House, they also do not feel quite confident. We have on many occasions seen money appropriated for nation-building departments. In 1938-39, large sums of money were given for malaria-control or for public health and for other utility

concerns but that money was not utilised. This point has been made by more than one speaker and I do not like to dilate upon that. That this large sum of money which has been appropriated for a particular department, has not been utilised does not reflect credit upon the Ministry, upon the planning power of the Ministry and their executive capacity to carry through such plan. This point, I hope, the Hon'ble Finance Minister in particular and the Cabinet as a whole will remember when they make their plans for the current year. It was possible for the former Finance Minister to say and in fact he has already said that the Finance Minister could not control the expenditure. It was for him only to plan the budget and this planning was the result of the suggestions which he received from his colleagues. I think the present Finance Minister cannot offer even that plea. I think it is no exaggeration to say that the present Finance Minister is almost half the Cabinet. The number of portfolios he is carrying on is probably more than any Hon'ble Minister can possibly be burdened with. In any case, since he has taken charge of so many portfolios, it does not lie with him to say that the money could not be spent on account of failure of any individual Minister concerned.

Again, Sir, there are certain other items in the present Budget to which I feel that one must draw the attention of this House. The Finance Minister has complained that there is a general stringency so far as the financial position of the province is concerned, but at the same time he provides for expenditure on certain items which could very well wait—I may first mention the expenditure on Civil Works, but I do not want to offer any comment on them at this stage. It may be that some of the civil works are urgently necessary, but there are others which might very well wait. I would draw attention to two or three cases of unprofitable expenditure. First of all, there is reference to the money to be spent for air raid precautions. I do not know what is the bogey against which the present Cabinet of Bengal seek to set up air raid precautions. Who is going to raid India? Who is going to raid Bengal? Where are the centres? Anybody who has the least idea of geography of the world and the position which Bengal occupies in the map of the world will be readily convinced that there is not the slightest chance of any attack from the air so far as Bengal is concerned. Any apprehensions on this score would be far-fetched. Anti air-aid arrangements might have been made in the Frontier or the Punjab, but so far as Bengal is concerned, I think the money which has been appropriated for air raid precautions is entirely wasted, and particularly when there is that financial stringency to which the Hon'ble Minister refers.

Then again, Sir, there is a large grant to the Bratachari. I do not understand, Sir, why Rs. 50,000 should be given to Bratachari movement when there are so many other movements which are in need of

money. I think a lot of discussion has taken place in another place with regard to the money which was withheld from the Viswabharati; and yet in this year's budget money has been provided for Bratachari movement. I must confess that I am not an unqualified admirer of Bratachari. There are certain aspects in which the Bratachari movement has done very good work. But there are other aspects in Bratachari which cannot command the interest or enthusiasm of many members of this House. In any case, though there are good things in Bratachari, there are still better things which are also in crying need of funds. Are we to understand that the grant of Rs. 50,000 to Bratachari is a question which is more important than an additional Rs. 50,000 to primary education or to secondary education or even to the provision of scholarship for students in schools and colleges? I think, therefore, that this grant of Rs. 50,000 to the Bratachari, even if it were justified at some other times, cannot be justified by any means at the present juncture, when the Finance Minister himself complains that there is a financial stringency in the province.

I would like to draw the attention of the Hon'ble Minister to the revival of Settlement operations in two districts. I think it was only last year or the year before that Revisional operations were suspended in more than one district in Bengal and the idea of renewing this Settlement for the time being was dropped. We are told that last year and the year before we had financially prosperous years. If at the time of prosperity the proposal for Revisional Settlement was dropped on account of money which could not be expended in carrying them through, what justification is there for reviving it to-day when there is financial stringency, according to the report of the Finance Minister himself?

Again, there is the question of Brabourne College for which Rs. 12 lakhs of good money will be wasted. I have never concealed my attitude with regard to this, Sir. There is a great demand for expansion of women's education in the province, but this is not the right way of proceeding about that.

With regard to another institution, where also a large sum of money has already been wasted, I mean the Islamia College, I think there has been a definite injustice to the Moslem community in the name of Muslim education in Bengal. A very large building has been constructed and a lot of money has been sunk in it, but the results have been deplorable. If instead of this, the total value of that money had been capitalized and even if the total expenditure which has been incurred on the Islamia College or the Brabourne College had been given as scholarships to deserving Muhammadan students—boys and girls,—that would have advanced the cause of education in Bengal far more than the construction of some edifices like these. I think, Sir, the Ministry should consider seriously whether the money is not

being wasted by building palatial edifices of this type, particularly at a time when there is great need for primary and secondary education. I would put it to the Cabinet if it is not far better to make primary education and secondary education free than to waste a huge sum of money by building huge edifices for the Islamia College and the Brabourne College or for any other college of that type.

I think the Hon'ble Finance Minister cannot deny that the total fee fund received from secondary schools in Bengal is Rs. 5 lakhs. If this Rs. 5 lakhs be given up by Government it does not very much matter. By giving up this Rs. 5 lakhs, education in the secondary stage all over Bengal can be made free. I think it is the first duty of any democratic Government of the world to make education in the primary and secondary stages free, even if they cannot make it free in the University stage. I would say that it is possible to make education free at all stages. We are working towards social reorganisation in which education would be free at all stages. If we cannot make it free at all stages immediately, there is no reason why money should not be found for making it free so far as secondary and primary stages are concerned. Primary and secondary education ought to be free. If instead of spending Rs 12 lakhs on the Brabourne College (and I think that the annual expenditure on it will not be less than Rs. 1½ lakhs every year), if this money had been capitalised, secondary education could be made free for the whole of Bengal. That will be a very long step forward and would help in advancing the educational interest of the province and particularly of Mussalmans and the Scheduled Castes who are backward.

Again, Sir, there is one other feature to which I wish to draw the attention of the House in passing, namely, undue preponderance of the grant which has been made to two districts which have been singled out, viz., the districts of Barisal and Dacca. We can understand why Barisal and Dacca should be favoured in this way, but at the same time, I think, it is up to the members of this House, who represent not any particular district but Bengal as a whole to see that there is no injustice between district and district. This is a matter on which I will not dilate. As it is, we have sufficient jealousies in our province—communal, linguistic and otherwise—and I do not want that district jealousies should be added to them. We should not encourage the growth of district or regional jealousies within the province.

Then, there is the question of jute. I wish I could agree with the Finance Minister with regard to what he has said in his speech about taking pride for the increased price of jute, so far as the agriculturists are concerned. If the Finance Minister could really take pride for it, I would have been the first to congratulate him from this side of the House. The members of the House would have united in raising a

golden statue to the memory of the Hon'ble Mr. H. S. Suhrawardy for raising the price of jute, so far as the agriculturists are concerned. But unfortunately, we find that this is not the case.

Sir, exactly the reverse is the case. The way in which the Ministry is playing with Ordinances has gone against the fundamental interests of the agriculturists. Why is it that Ordinances are promulgated immediately after the Legislature has been prorogued? Why is it that an Ordinance was again promulgated just before the Legislature was going to be summoned? Why is that instead of coming before the Houses of the Legislature with a prepared plan, with a definite scheme for improving the price of jute, the Ministry is playing and tinkering with one of the most fundamental and vital matters affecting the economic life of the province as a whole, by promulgating the Jute Ordinance just before the commencement of this session of the Legislature? Now, Sir—

Mr. PRESIDENT: Your time is up.

Mr. HUMAYUN KABIR: May I just have five minutes more, Sir, to finish my speech?

Mr. PRESIDENT: I can allow you two minutes' time.

Mr. HUMAYUN KABIR: Thank you, Sir.

Honourable members may remember that last year the Jute Ordinance was promulgated at a time when more than three quarters of jute had left the hands of the agriculturists, and if there was anyone who profited by the Ordinance, it was the middleman. The Ordinances of the Ministry have been generally promulgated with a view to safeguarding the interests of the jute mills and the capitalists and also of those who speculate on the jute Futures market. Such action on the part of the Ministry takes away, whatever claim the Hon'ble Mr. Suhrawardy could otherwise have to the gratitude of the agriculturists. This is a point on which I should like to dilate, but since my time is up I have mentioned it in brief and shall now pass on to the next point.

I should like to close my remarks on a more pleasant note and I would like to congratulate the Ministry on two items of the Budget where, I may say, there is definitely good work shown on the part of the Ministry. The first is with regard to the department with which the Hon'ble Mr. Suhrawardy himself is concerned, viz., the question of price control. Here, the work of the Ministry has really been good. The promptness with which he took measures just after the war was declared, deserves the commendation of the members of the different sections of the House, and I think he will have it in plenty.

The other point to which I want to refer to is the larger provision for public health, viz., 7½ lakhs for rural water-supply, 5 lakhs for quinine, 2½ lakhs for anti-malaria and 1½ lakhs for Kala-azar. These are very promising no doubt, but I would like to ask the Ministry in all seriousness: "Are these only paper provisions or are they really going to be used?" Sir, two years ago we had Rs. 2,20,000 provided for anti-malaria work but out of that only Rs. 67,000 was spent and over a lakh and a half remained unspent. Does this mean that malaria has departed from Bengal? That cannot be, because there is a handsome sum provided for it again. I hope that the Ministry is serious about the public health of this province now, and will carry out the schemes for which they have made increased provision in the next year's Budget, and would be able to tell us when they come before the Council next year, that "by spending more, the public health of Bengal is in a better condition now than it was before".

Raja BHUPENDRA NARAYAN SINHA Bahadur, of Nashipur:

Mr. President, Sir, we must express our deepest thanks to the Hon'ble Finance Minister for the hard labour he had to put in in compiling the Budget for the next year. It is known to the House—and no one can deny it—that to prepare a Budget for the whole of the province is no easy task and it requires brain, labour and at the same time a grasp of the whole situation. The Hon'ble Mr. Subrawardy has been in office for only a few months and we must give him the credit that during this short period he has been able to grasp the situation and present this Budget in this House. Not only that. He has, in addition to his portfolio of Finance, other Departments also. Sir, in the course of the last 20 or 25 years, I have never found that the Finance Minister had been able to take charge of other portfolios, because "Finance" is in itself a heavy enough work. That in spite of other additional duties he was able to present this Budget reflects not a little credit on him, and I must express my deepest thanks to him on behalf of my party.

Now, coming to the details of the Budget, Sir, I am sorry to say that the Budget which the Hon'ble Finance Minister has presented to this House is not only disappointing but also distressing to the people of this Presidency. I wish I could call this Budget colourless—but I am sorry to say that it is discoloured. Sir, under the New Dispensation, the Government of Bengal started with favourable conditions. Relieved from the crushing burden of loans to the Central Government and blessed with a new source of income for which the Government and the people had been pressing their demand ever since the imposition of what is popularly known as the Meston Award, they ought to have started on a career of real usefulness. In addition, the Government are getting half of the jute duty. But still they had made what may be called a rake's progress. They have spent every pice of the

ample resources placed at their disposal and saddled the people with new taxes. And this they have been constrained to do not for the purpose of accomplishing some comprehensive schemes for the amelioration of the condition of the people—by effecting spread of education, sanitation, irrigation, agriculture or the industries—but for the purpose of simply carrying on—and that not very laudably—the day-to-day administration of the Presidency! The more they have got, the more have they been wanting, their appetite being whetted by what they have been feeding upon.

Though the Finance Minister has expressed some lip sympathy for the masses, he has done nothing to ameliorate their lot. He has made a passing reference to their hard lot—"all those in fact who know and deplore the conditions in which the ill-educated, ill-housed, ill-fed and malaria-stricken sons of Bengal live". And he has presented a Budget which, according to his own confession, "must be a great disappointment".

Repeated deficit Budgets in normal years are a confession of hopeless failure and must be condemned. I purposely call the years normal. There has been no devastating famine in Bengal during all these years. Many of us remember how in 1933 the then Governor of the Presidency referred to a new source of expenditure. "The expenditure", he said, "incurred with the authority of this House in combating various subversive movements amounts to no less than 112½ lakhs in three years". That sterile expenditure has now been eliminated. And yet the Government finds itself in a morass of want.

The war in the West has been made a peg to hang the causes of this failure to balance the Budget. But even now we only see "through the loopholes of retreat"—"rampant war, yoking the red dragons of her iron car." The war—undesirable though it is—has proved a corrective to the economic depression,—the effects of which we had been feeling in Bengal,—by increasing the price of jute which is the chief money crop of the people. The Hon'ble Finance Member has warned us that with the end of the war will come another depression and the world must be prepared for it. It is, therefore, doubly necessary to put by something for that rainy day—by seizing the opportunity the war has brought in its train. Reading the Budget from cover to cover, one finds no attempt to utilise that opportunity, though "there is a tide in the affairs of men" which has to be taken at the flood if it is to lead on to fortune.

I cannot help referring to one strange fact that emerges from the statement made by the Finance Minister. "Savings to the extent of ten lakhs occur under the head 'Medical and Public Health owing to the time required for working out details of some large projects for which lump provisions were included in the Budget. The Irrigation

Budget shows a saving of nearly four lakhs owing mainly to non-utilisation of the provision for the Waterways Board." In a Presidency which cries aloud for medical relief and provision for the improvement of public health and which is sadly neglected in the matter of irrigation, should not the Ministers feel for having failed to utilise the money provided for in the Budget for these purposes?

The worst feature of the Budget is the threat held out repeatedly to impose fresh taxes. The Finance Minister has been constrained to admit that the closing balance he expects to show for 1940-41 will be only 72 lakhs, i.e., only 23 lakhs above the minimum balance that must be maintained with the Reserve Bank and in the treasuries and there had been occasions during the financial year which is closing "on which the balance of the Reserve Bank threatened to fall below the prescribed minimum and temporary advances had to be taken from the bank." This is an indication of a precarious existence for a Government and it was seriously thought if a loan should not be resorted to.

Already we are saddled with fresh taxation and we are threatened with more. The methods have not yet been decided upon. The actual bite has not been felt, but the bark is there. The Finance Minister has said that he is "now engaged in a survey of the possible sources of new revenue permitted to Provincial Governments" and he adds, "I anticipate that before the end of the year for which I have presented the estimates I shall place before the House proposals for new taxation." The Finance Minister will not be satisfied with an increase of 5, 10, or even 20 lakhs gained by draining the resources of the people almost dry. He must have more. "We might increase our revenue by 5, 10 or perhaps even 20 lakhs by enhancing the rates of our Provincial Tax Acts, such as the Entertainment Tax, the Electricity Duty, etc., but the time has come when it is essential, if we are to pursue the programme that we have set before ourselves, to select one or two fields upon which to concentrate and having made that selection to come to you with new taxation proposals that will give us the necessary resources."

What, Sir, is the programme that the Ministers have set before themselves? The work that has been done has only disappointed the people. In this connection, I would like to remind the House that the proposal for an Entertainment Tax was first advanced by Mr. Biss in his Primary Education Report. He made the suggestion that the proceeds of such a tax should be ear-marked for expenditure to be incurred to make primary education in the Presidency free and compulsory. When the tax was actually imposed after the inauguration of the Montagu-Chelmsford Constitution, the non-official members of the Bengal Legislative Council insisted upon the proceeds being spent on nation-building work. To-day not only are the proceeds swallowed

up to meet the ordinary expenses of the day-to-day work of administration, but we are threatened with the tax being increased.

I am sure, Bengal will protest against the inequity of fresh taxation, and any proposal for imposing a new tax or for increasing those existing will be turned down by this House as being detrimental to the true interests of the people whom this House represents. I am ready to concede that large sums will be needed for comprehensive schemes for education, sanitation, irrigation, etc., but unless and until such schemes are taken in hand there can be no justification for fresh taxation.

As this House is not competent to deal with financial matters, I will not go into the details of the Budget Estimates but will draw the attention of the Hon'ble Minister to certain items of expenditure.

I am glad to find that some attempt has been made to develop the nation-building departments. I would like that more money be provided under the following heads:—

Under the head Education no attempts have been made for the encouragement of Sanskrit Learning.

The grants of doles to the Sanskrit Association have been reduced instead of being increased. Unless the Government pay attention, the old classical languages will die out in no time. It is the right time that these be patronised and be saved.

Under the head Medical more provision should have been made for *dai* training. One can avoid disease by imparting education to these people, but infantile mortality will remain if our *dais* be not trained. In this connection, encouragement should be given to the *Unani* and *Ayurvedic* lines of treatment also.

Thirdly, under Public Health I find that only $7\frac{1}{2}$ lakhs of rupees has been set apart for water-supply. The supply of pure water is most essential for health. Most of the diseases are due to want of pure water. Under the circumstances, it is highly desirable that more money should be provided for the supply of pure water by sinking tube-wells and other wells.

Again, only half a lakh of rupees has been provided for maternity and child welfare centres. At least one lakh should be provided for these beneficial works.

Then comes the Industries Department. The cottage industry as well as middle-sized industries should provide employment to the surplus agricultural population whom the land cannot support. It is known to the House that the agriculturists who live on the profit of the land remain idle for at least 6 months in a year and have no employment to take. By developing the cottage industry these men can be employed. We do not know what primary recommendations the

industrial survey committee have made, but whatever might be the recommendations I would like that some of their recommendations should be accepted and should be carried into action. With these words, I conclude my remarks for the present.

Mr. RANAJIT PAL CHOUDHURY: Before I begin my speech on the Budget I would like to ask the Finance Minister whether he has submitted any explanation to you, Sir, of his absence for which we lost a day. I do not know whether he has submitted any explanation to you; but considering the shabby way in which this House has been treated, I hope it would be in the fitness of things if he offers an explanation.

At the outset, I would like to make it clear that after such a scathing scrutiny of the Budget by my honourable friends Dr. Radha Kumud Mookerji and Professor Humayun Kabir, I do not think I would have that amount of audacity in me to make further comments, but I would like to emphasise with all the force that I command that any further taxation as is proposed by the Finance Minister on the people of this province would be inequitable, unjust and cruel, specially in the present economic condition which we are now passing through. Taxation will only further aggravate our misery and Government will be charged with teaching the people dishonesty and corruption, because they will try to evade the taxation and take to underhand means to escape this galling imposition. I am not against a fair and just taxation, provided the entire sum so derived is spent for the benefit of the people of this province. In England, the taxation is much higher than in this province, but there the people do not try to evade it or grudge paying it because they know that the entire amount they pay by way of taxation goes for their own benefit and has not got to be shared by a Central Government or anybody else. Our Government should exert and employ all available means to get the financial award revised so that Bengal may get a legitimate share of the revenue she earns from the Central Government in the shape of Income Tax, Customs and Jute Export Duty.

In this connection, I would like to make a quotation from the Arabian Nights which seems very proper. The quotation is:—

“For others these hardships and labours we bear,
For their's is the pleasure and ours is the care,
Like the bleacher who blacketh his brow in the sun
To whiten the raiments that other men wear.”

We are only blackening our skins, we are only washing the linen and others are getting the benefit of our taxes. Sir, although there exists a Marketing Officer and with all the facilities, there does not

seem to have been any development in this line. I am inclined to believe that because a non-Bengali has been placed in charge of this department, things are not moving in the same way as they should.

As regards rural reconstruction, much headway has not been made in spite of the Finance Minister's glowing speech. Rural areas are vital centres for the growth of a nation and cannot in any way be neglected. Within rural reconstruction, I would like to include our educational improvements also. They should also have received a further grant. I cannot help repeating that instead of taxation and starving ourselves or drawing upon our reserves we should demand from the Government our legitimate dues for our own salvation.

Mr. KADER BAKSH: We have been given a few days' time for the general discussion over the next year's Budget; but without any control either to shape its policy or to alter any of the estimates, we cannot feel encouraged to take any very active part in the discussion. The Hon'ble the Finance Minister has given us a deficit Budget in spite of the fact that on the whole the present economic outlook of the province is brighter than it has been at any time during the last ten years. He has drawn upon the balances to meet the day-to-day and almost ordinary routine expenditure of the province, thus reducing the closing balance to its minimum. He has told us that owing to a deficit Budget and also as a precaution against the slump that must inevitably follow the conclusion of the war, he has avoided making any new commitments, to propose any new long-range schemes likely to involve the finances of the province in recurring expenditure. According to his own estimate, the Revenue position of the province is unsatisfactory and the developments of the nation-building departments must wait till the income can be increased and for this he has asked us to be ready for the imposition of new taxation. I do fully appreciate his difficulties and limitations due to the inelastic nature of the sources of revenue, but he has not given us any idea nor has he suggested any steps that should be taken for creating the capacity in the people to bear the burden of further taxation. I can assure him that we are ever ready to be subjected to further taxation, provided there is a corresponding increase in our income to take up any ameliorative measures calculated to increase the wealth of the province. Without this, all proposals of new taxation would not only be unjust but a blunder.

Now, I propose to deal in brief with the Budget Estimates on some of the heads. First of all, I take up Education. It appears that the provision made under this head is most inadequate, especially under the head Primary Education. I believe that the first and foremost duty of any civilised Government is to make an honest attempt to remove

illiteracy of the masses in mafassil areas not only for the benefit of the people themselves, but also for the safe and peaceful administration of the country: Their ignorance, their innocence, their utter helplessness to distinguish between what is for their good and what is not, due to want of education, have always been taken advantage of, rather exploited by some designing people not with a view to bring them any relief or redress but to spread disaffection between communities and communities, between different interests and sections of the people, and also to create a spirit of lawlessness in the masses with the final object of bringing the Government into hatred. I can cite an instance from the Kisan movement in my own district of Dinajpur and also in Jalpaiguri. These ignorant people were led to believe that with *lathis* in their hands and by holding meeting and by uttering communist slogans they will be able to achieve their ends. This irreligious, immoral and irresponsible movement will be creative of much mischief in the country. To combat all these, the only weapon is to educate the masses. Therefore, my earnest appeal to the authorities would be to provide sufficient funds—the entire amount of the jute export duty—to give immediate effect to the scheme of compulsory free primary education throughout the province and if need be to be supplemented by levy of Cess.

Under the head Education, I find a provision of half a lakh of rupees for the Bengal Bratachari Society. Sir, without entering into the merits and demerits, utility or otherwise of this movement, I must make bold to say that this movement must wait till the solution of the questions of primary education, water-supply and sanitation in rural areas.

Next I take up Irrigation. On my own behalf and on behalf of North Bengal I express sincere gratitude to the Hon'ble Finance Minister for at last attending to this much-needed problem of that huge but neglected part of the province. Better late than never. The vast area beginning from the north of the town of Dinajpur and extending to the west to the border of the province of Bihar and right up to the foot of the Himalayas to the north known as the "Parti" can be made fertile and productive with the introduction of Irrigation projects there. I shall most humbly request the Hon'ble Finance Minister to begin this contour survey in the districts of Dinajpur and Jalpaiguri immediately. My honourable friend, Khan Bahadur Mukhleswar Rahman, made a suggestion about such a scheme in his Budget speech last year.

Now, with regard to the Medical Budget, Public Health and Rural Reconstruction, I must thank most heartily the Hon'ble Finance Minister for providing a sufficient amount for the improvement of these heads.

With regard to Jute Survey, I have one word to say. Rs. 7 lakhs have been spent and I believe that the amount has not been well spent because vast tracts of areas have not been surveyed regularly. I believe those who were engaged for the survey did not go to those areas. Complaints in thousands have come to me, to the Subdivisional Officer, to the Collector and other representatives that those people who were engaged in the survey work did not go at all to those areas. Forms for putting in objection have gone short. They are not available even at a higher price. This is my personal experience, Sir, and I speak from personal knowledge. Then Sir, as there has not been a proper and regular survey for the restriction of jute cultivation, I would appeal most humbly and most earnestly to the Hon'ble Finance Minister and to the Government to withdraw the Ordinance, I mean the Jute Ordinance, for the current year. Otherwise, Sir, people will be subjected to the greatest possible hardships, because the areas have not been surveyed, and they will not be allowed to cultivate jute on any portion of their lands. It is for this reason that I appeal to the Government to suspend the Jute Ordinance for the present year.

Then, Sir, from a perusal of the Budget it appears that the entire activities of the Government have been centred round Calcutta and the districts of Dacca, Mymensingh, and Chittagong. Certainly, Sir, I do not grudge this.

The Hon'ble Mr. H. S. SUHRAWARDY: There is the contour survey of North Bengal.

Mr. KADER BAKSH: Certainly, Sir, I agree with the Finance Minister. For that Rs. 25,000 has been provided for the next year in the Budget with an ultimate provision of 4 lakhs for that scheme.

Sir, I do not grudge any provision being made for ameliorative measures to be started by Government for any part of the province. But at the same time, Sir, I cannot help bringing before the Government the dire necessities of North Bengal. I can inform this House, Sir, that beginning from the town of Dinajpur right up to the foot of the Himalayas, a long distance of about 100 miles,—for this area there is only one High English School at Thakurgaon. Is it, Sir, at all fair that, if the people have not been able to take steps to educate their own children, the Government should be sleeping over their rights and their responsibilities? Is it not the duty of Government to "come forward with a helping hand to educate the people in those areas where they have hardly got any school? Do they contribute less than other parts of Bengal? They do not. The assessment of revenue in Dinajpur and Burdwan districts will prove that it is the highest in those districts. So, Sir, these districts in North Bengal should not have been neglected. We know, Sir, that they are very

much poorer than others, and so it is all the more reason why Government should come forward with a view to help these people who are backward, who are ignorant and who are illiterate. I do not put forth any claim, but I humbly appeal to the Government to take a little more care of the people in those neglected areas who are not sufficiently fit to take care of themselves. In making this appeal, I once again congratulate and offer my gratitude to the Hon'ble the Finance Minister for the provision which he has made for the irrigation of North Bengal. With these words, Sir, I conclude.

Mr. KAMINI KUMAR DUTTA: No doubt, Sir, the Hon'ble the Finance Minister has had a very short time at his disposal for the preparation of the Budget, but the Budget is not the work of one man. The Budget really reflects the mind of the Government, the Ministry. It is the Ministry which is responsible for the Budget. And if there be any criticism of the Budget, the Hon'ble Minister should not take it as a personal reflection regarding him.

Sir, the present Government claims to be the accredited representatives of the teeming millions of the country and if they wish to have this claim justified before the country, the Budget must be of such a character as to redound to their credit. Otherwise, they would be liable to condemnation at the bar of public opinion. I am constrained to observe that if anything is apparent in this Budget, it is the lack of a human touch behind it. There is absolutely no mind behind the Budget, conceiving well-planned schemes for the development of the resources of the country or for uplifting the masses from the morass of poverty into which they have sunk and from which they are suffering for a long period of time. No doubt, the Budget begins with a preliminary remark. The preface, I mean the statement which was handed over to us with this Budget, says that it does not contain any spectacular features. I must admit that the Budget does not err on this side. There is no feature at all in it, whether spectacular or non-spectacular. If the Budget reveals anything, it reveals only an attempt to save the face, an attempt to white-wash, by some isolated doles and grants to national institutions. But regarding that also, one has a misgiving in his mind whether those grants would really be made. In this misgiving and apprehension, we are fortified by our past experience. Grants have been made, grants have been shown in the Budget but no administrative sanction was accorded to the payment of such grants. Only a few days back, I myself had to put a question regarding the grant made to the *Viswa Bharati* in the last year's Budget, and the only reply that could come from the Government was that the Ministry was not really in a position to give any reply as to whether administrative sanction had been withheld regarding the grant. So, when we find that in this Budget, which is absolutely

aimless and drifting, there are doles here and there, grants here and there, we suspect whether they are really intended to be operative, whether they are really intended to be given. Not only in respect of the *Visva Bharati*, but also in respect of the grants for the education of the Scheduled Castes, for the Waterways Board and for other schemes for which provision was made in the last year's Budget,—because of the want of a well-developed scheme Government could not spend even the money which was granted in the Budget. This only confirms the criticism that really what is lacking in the Budget is a well-developed, constructive, and a well-planned scheme for the development of the country. We can only say that the Ministry should think that it does not represent a party but that the Ministry is responsible to the whole country. Whatever might be the electorate from which a particular member is returned here, whatever may be the party to which he owes his allegiance, his first oath and his prime oath is to the people of the country and to the country itself, and in framing the Budget the Ministry should bear that in mind. One is pained to remark that this Budget bears ample traces of party pressure and individual pressure. There are attempts here and there to placate *caucuses*. If the Ministry is to rise above these back-stairs influences and if the Ministry is really to serve the country, then they must prepare a Budget which would really advance the welfare of the country and the welfare of the poor masses. Much is heard about love for the masses. But does the Budget really show that this love is genuine, that there is a genuine desire behind this Budget and in the mind of the Administration to serve the people? The true test of a good Budget is this—whether the Budget really reveals well-planned schemes, whether the Budget is preparing the country for producing more wealth, whether the Budget is providing ways and means for the people to earn more and for the people to have more wealth. The present Budget is absolutely nothing but—if one may be inclined to call it—a catalogue of doles and grants and only a list of the administrative expenses. It seems as if the whole revenue is to be spent up in oiling the administrative machinery. But what is the utility of this machinery unless it serves the people, unless it helps the people in their uplift? Simply running an administration is not the object for which really the Government or the Ministry is created. And coming to the Budget, if one would look for any sort of well-planned scheme, he will be absolutely disappointed. The present Government had the experience of three years' study of the problems of the province. So, it is not a case of a hasty Budget or anything of the kind.

The problem of war would not affect us in the least, nor is it being waged on our soil. Rather, if the Ministry would be alert and if the Ministry would have an alert mind, then advantage ought to be taken of the situation created by this great war so that the resources of the

country can be improved, to find out means by which there may be new avenues of earning. On the other hand in the Budget we only find a dark and dismal picture of an apprehended slump after the war. I will not deal with that problem at all, whether the slump will come or not. Economists differ as to what would be the after-effects of the war; economists differ on what is or would be the effect of the present war on the economy of this country. I will not go into these questions. I will not deal also with the inequitable allocation of revenue which has been very elaborately and very adequately dealt with by my honourable friend Dr. Mookerji. But simply our bemoaning over that unfortunate incident will not improve our position in the least. We must work out our salvation by harnessing all the resources available in the country. We have to work out a new plan so that our country may acquire the position of the rich countries in the world. So, this excuse of the want of revenue is no excuse. It is the old excuse that is being put forward always by an Administration which has no real imagination, which has no real mind and which has no desire to effect any improvement in the country. I shall not refer to those minor details which have been dealt with already by my honourable friends. The same thing I shall not repeat over again, but some of the features of the items I may like to deal with.

While dealing with Education, references have already been made to Higher Education and Secondary Education, and many of my honourable friends have dealt with that aspect. But another aspect which is often lost sight of, and which is the most important duty of the Administration, is the removal of mass illiteracy, a solution for which should be found by the Government. Our whole country is steeped in illiteracy.

I do not find anything in the Budget to show that there is any scheme for removing the illiteracy of the masses which is prevailing in the country. No means has been formulated to remove the illiteracy of the masses. So, this education scheme is absolutely wanting in any desire really to impart knowledge to the people of the country. I find, there is a provision for building halls, for constructing buildings, but mortars and bricks will not soothe the hunger for knowledge. Mortars and bricks will not really make the people educated. People won't get real education in stupendous halls or in big buildings. If we want to give real education to the masses, we should make provision for mass education, we should make provision for having the mass of the country educated. There is no provision even for elementary education and there are big talks of halls and buildings as if halls and buildings would make up for the primary want of making any provision for elementary education of the people of the country.

In dealing with Irrigation, it appears that that is a subject to which no attention has been paid. Irrigation is indissolubly connected with

agriculture, especially in some parts of Bengal. I do not claim to know the condition of all the districts in Bengal, but at least I am acquainted with some of the districts in Eastern Bengal where Irrigation has become a very important problem. Speaking of my own district of Tippera, I can say that a considerable portion of the northern portion of Tippera has been reduced to a condition in which it has become almost impossible to grow any crop during the ordinary rainy season. It may be due to the construction of the new railways or the construction of the new bridges or because of the clearing of jungles in the hills. But whatever might be the reason, the northern portion of Tippera is being inundated every year with the result that the ordinary crops which are grown during the rainy season cannot be grown and whole fields lie waste without any chance of any crop being grown. Now, if the Government rest content by simply saying, "We cannot fight against Nature", would that satisfy the hunger of the people? Would that give morsels of food to the mouths of so many hungry people there? From my knowledge of the physical features of this part of the country, I can say that irrigation can play an important part there. These people have been accustomed for the past long years to grow crops in the rainy season, but they would be prevented from growing crops in that season in that area if provision be not made for irrigation. When it appears that on account of change in the physical feature in this area it has become impossible for crops being grown in the rainy season on account of high flood, there is no reason why Government should not come to the rescue of the people and also for changing the season for growing crops by making provision for irrigation. Other progressive countries in the world have done it where they thought that it was necessary to fight with Nature. They have really defeated Nature by adopting other means. But here we find only an excuse for sufficient provision not having been made, and these people who are not able even to grow their ordinary crops have been left to their fate. These problems ought to be studied. There is no attempt to study the problem. I had the pleasure to wait in deputation on the Hon'ble Minister for Irrigation in connection with removing the silt of a certain river near Akhaura which is an important centre of trade. I have seen that river myself. Its bed has almost become paddy plots and the result is that not only Akhaura has ceased to be a trade centre, but the people living in the vicinity of that locality would really lose the benefit of river navigation too. These subjects ought to be taken into consideration and for that purpose a thorough study ought to be made.

Connected with it is the problem of agriculture. Whenever we find that the subject of agriculture is dealt with, there is always a very large talk of an agricultural college, new appointments and construction of big buildings, as if these edifices would really spread knowledge to the rural population of the country. If we read history, we

find that countries which had no improved agriculture before are now making great improvement. They have established agricultural centres in the rural areas from which the knowledge of improved agriculture and the use of modern machinery is being spread throughout the country. (The Hon'ble Mr. H. S. SUHRAWARDY: There are also agricultural colleges.) Yes. I heard there are agricultural colleges, but mere colleges will not meet the needs of the situation. What is of immediate importance is to have agricultural centres in the rural areas, to impart knowledge about agriculture, and people must be taught to have a hankering for that knowledge. People must be taught that they should not think that agriculture depends upon the freak of Nature but that improvement of agriculture also depends upon human ability. But what do we find here? The people of this country think that improvement of agriculture depends upon luck, upon fate and upon the grace of God. This is how the need of agricultural improvement is being looked after.

While talking of the masses and of the uplift of the masses, we forget an important section of the public, I mean the *bhalralog* class, the middle-class. Though their sacrifice has been the highest, though they are suffering the most, though they have really brought the country to the condition in which we are, though they have really shed their blood for the uplift of the country, they are not heard of, as if they do not exist, as if they are a class whose problem is not a problem at all before the Government. But the extinction of that class would not really be to the good of the country.

Whenever we have to consider the question of the middle-class, the problem of industrialisation arises in our mind, because it is not possible to feed this *bhadralog* class by giving a few billets or a few appointments. A vast field of industry must be created in the country to give scope to this class to earn their livelihood, to utilise their energy. If we look to the Budget, we find that industry has been given the go-bye. If for giving relief to this class we simply provide some money for big colleges, would that really solve the bread problem of that important section of the public? If that problem is to be solved, it can only be solved by a real growth of industry in this country to which the present administration has not paid the least heed. So, to whatever department we look, whether it be Education, Agriculture or Industry, we find that there is lack of well-planned schemes for the development of the country.

Sir, a deficit Budget is *ipso facto* no discredit to a Government at all, if Government can utilise the money for the improvement of the country. The Finance Minister has been talking of new taxation, but before any new taxation is imposed, the country must be satisfied that there is a scheme and machinery to work out the welfare of the country; otherwise new taxation would be nothing but oppression.

Rai SURENDRA NARAYAN SINHA Bahadur: In view of the deficit that he has shown in the Budget, I cannot say it is a prosperity Budget, but I must admire the cautiousness that the Hon'ble Finance Minister displayed in preparing his estimate for the coming year. The war is upon us and there is no certainty about the future. We must husband our resources to meet any emergency that we may encounter. But to make up for the deficit and for finding money for any schemes for development of the country, the Hon'ble Finance Minister has given hint of his intention of levying fresh taxation. The country has not yet recovered from the effects of the acute economic depression that set in some ten years ago. Some new taxation measures were passed by the Legislature last year and they have already caused some discontent in the country. However, I believe, if the sources of revenue already tapped be further explored and some economy is effected, the amount of deficit can be wiped out without much difficulty, nay, some money may be left over for the nation-building departments. All these calculations and anticipations have now been further jeopardised by the announcement of the practical abrogation of the Niemeyer Award with the expected issue of Order in Council now passing through the Parliament. It is therefore nothing but a counsel of prudence to try to make retrenchment in provincial expenditure.

Coming now to the detailed provisions of the Budget, I think it to be my duty to voice public feeling about the absence of grants for the *Vishwabharati* Educational Institution which cannot be too generously helped. Last year there was a provision in the Budget for granting Rs. 25,000 to that institution, but it was published in the press that the sum had not been disbursed. It has to be explained by the Hon'ble Finance Minister why this was so and why anything has not been shown in the present Budget estimates. The State Faculty of Ayurvedic Medicine has been given the paltry sum of Rs. 1,000 for the first time, though the Faculty is a State Faculty. An inadequate sum has been granted for an edition of the *Mahabharata* now in course of publication. There is no provision for Rural Health Units in the Budget for Public Health for the new schemes now pending before Government. A Co-operative Hall is felt to be a great want as a meeting place for co-operative men when assembling in Calcutta. Water-supply problem in the districts has not been provided for in the Budget. Loan application for water-supply of Murshidabad District Board still remains undecided. This is really amazing.

Coming to the local wants of Murshidabad and adjoining districts, it is a matter of satisfaction that there will be improvement of the Kandi-Sainthia Road *via* Sultanpur. But the non-utilization of the Road Funds up till now in developing the road systems of the districts has always been a grievance of the people. The recent floods have

thrown up new problems for the district of Murshidabad and draining out of water-logged areas of Murshidabad are required early; a contour survey of the district has been completed and measures are to be taken, but I do not find money for the purpose in the Budget.

Regarding jute revenue and jute affairs, I agree with the remarks made by the European group.

The Hon'ble Finance Minister has been faced with difficult circumstances, but I hope that he will meet them with courage, with the co-operation of all the parties and individuals.

Sir, these are the few remarks that I have to make in connection with the Budget.

- **Mr. LALIT CHANDRA DAS:** It is my misfortune that I am unable to congratulate the Hon'ble the Finance Minister, or, more correctly the Finance Department, for the Budget which has been presented for the year 1940-41.

The expected revenue is 13 crores 97 lakhs as against an expenditure of 14 crores 54 lakhs, which leaves a deficit of 57 lakhs, to which must be added the deficit of Rs. 26 lakhs under the head "Capital and Debt Deposit".

This is the second deficit Budget since the inauguration of the New Constitution in Bengal. The Hon'ble Mr. Suhrawardy, therefore, could point to Mr. Nalini Ranjan Sarker and say that Mr. Sarker could do no better. In fact, the Hon'ble Mr. Suhrawardy went a step further and almost complained that the surplus of 1 crore 53 lakhs of 1937-38 disappeared in the course of the last two years.

It should be remembered, however, that the apparent budgetary opulence of 1937-38 was due to the wiping out of the debt of the Bengal Government by the India Government and its liberal grant to enable Bengal to start with a clean slate. It never represented the true state of affairs in Bengal.

In fact, the old Government before the start of Provincial Autonomy was suffering for a number of years from deficit Budgets and became indebted to the Central Government to the tune of 8 crores of rupees. The Niemeyer Award partially rectified the Meston wrong. What, therefore, is most necessary for Bengal is to devise ways and means to prevent the chronic indebtedness and to ensure what I should describe as a prosperity Budget.

For this the Government's first and foremost duty is to make the people rich and be rich themselves. You must know how to defend your own wealth. Jute is Bengal's monopoly and the export duty on Bengal's jute should belong wholly to Bengal. We desire to know what consistent and persistent efforts were made by the Bengal Government to keep as its own this portion of Bengal's wealth from being

bilched away. And then, Sir, section 138 of the Government of India Act provides for assignment to the provinces of a share of the net proceeds of taxes on income, Bengal's share of the assignment in any year being 20 per cent. We desire to know whether any effort has been made by the Bengal Government to get at least 80 per cent. of the income-tax derived from Bengal. Or does the Bengal Government want to wait without any representation to the Government of India for such crumbs as may please the latter to give from the net proceeds of the income-tax? The allocation to Bengal of these two taxes can free this province from deficit Budgets and the local Government should agitate for it.

While on this point, Sir, I should like to urge upon this Government the necessity of nationalizing some of the key industries of Bengal, particularly the Jute industry. The Government should borrow money, if necessary, and yet nationalize the Jute industry of Bengal. The huge profits which this industry, which is in the hands of foreigners, is making should be an eye-opener. Once on the right track the Government of Bengal should never be in want of materials for balancing the Budget or in want of money for financing the nation-building departments.

True, Sir, the sources of revenues given in this List II of Schedule VII of the Government of India Act, 1935, are few and do not offer sufficient scope for fresh revenues to meet the increasing needs of the province.

Tax on agricultural income and a sale tax may bring an appreciable rise in receipts, but so long as there are no well-laid plans for ameliorating the condition of the masses and machineries ready to execute them exist and so long as all possible retrenchments in administration costs are carried out, no fresh taxation should be resorted to to meet the ordinary expenses of administration. Bengal must cut its coat according to its cloth. It is regrettable that, without any plan whatever and without effecting retrenchments, taxes on amusement, electricity, etc., and the most iniquitous flat tax of Rs. 30 per head on all income-tax-payers were imposed and spent to meet the ordinary costs of administration.

I will enumerate some of the directions in which the Ministry could try in future to balance the Budget. Ministers should begin by reducing their own salaries to the Congress standard of Rs. 500 and thus set an example to others. They should abolish the posts of Parliamentary Secretaries as unnecessary as also the other superfluous jobs, e.g., those of the Commissioners of Divisions, Inspector-General of Police, Inspector-General of Prisons, etc. I am only enumerating some of the posts which might be done away with without any prejudice or loss of efficiency. The Ministers should give up their exodus to Darjeeling and also their frequent tours to the different parts of

the province, which, judging by the nature of speeches they make while on tour and the activities they carry on, do more harm to the province than good.

Many of the building works, e.g., combined office and quarters for Sub-Registrars, who, surely, were not working homeless so long, may conveniently be put off till better days.

Sir, why should original building works, e.g., construction of stables and servants' quarters in the Government House, Darjeeling, reserve for works in connection with Government Houses, reserve for minor works in connection with the Barrackpore Government House, extension of Collectorate Buildings at Mymensingh, construction of a residence for a Sub-Deputy Collector of Jhargram in the district of Midnapore, reserve for minor works grant of the Commissioners of Divisions, witness-sheds in civil courts in Bengal, several original works for police buildings—to mention only a few—be undertaken in such a budgetary year as this. Mark, Sir, in contrast that the Government is not stirring itself, even according to the promise of Sir Bijoy to give the district of Noakhali a district headquarters, for the want of which the people of Noakhali are suffering terribly.

Sir, the maximum yield under Stamps, both judicial and non-judicial, amounted to 3 crores 91 lakhs and 97 thousand rupees in 1929-30. It fell off to 2 crores 57 lakhs and 77 thousand rupees in 1938-39, and this year it has been shown at 2 crores and 65 lakhs of rupees. This downward trend in court-fee receipts are traceable to the policy of the Government, as revealed in the Agricultural Debtors Act, an Act which, without benefiting the agriculturists to any appreciable extent, has killed rural credit through the operation of the Debt Settlement Boards. A reversal of this policy would give Government an appreciable rise in the income under Stamps.

Sir, to one of the questions relating to Settlement Operations, the Hon'ble Sir Bijoy Prasad Singh Roy replied that Settlement Operations would no longer be continued. Sums, however, have been allotted for carrying out settlement work in the district of Bakarganj, and out of an estimate of over 40 lakhs a sum of 4½ lakhs will be spent on this district. Cannot this sum be saved by stopping all settlement works in that district?

Sir, if my memory serves me right, a good and a round sum of 40 lakhs was given to the agriculturists last year as loan besides gratuities to help them to tide over the ravages of flood and to meet the difficulties caused by scarcity of money, food, or raiment. That was a good thing done, Sir, and the agriculturists are now well off. And if a determined effort is now made by Government to realise those loans, their efforts are bound to meet with success with the result that the

Exchequer will be replenished to such an extent that, together with the suggested sources of economy, the Government will find no difficulty in making the receipts square with the expenditure, and all fears of fresh taxation will vanish into thin air, unless, of course, the Government is determined to impose new taxes on the specious plea of a slump after the war. For ourselves, Sir, we deny there will be any such slump. The previous history of the last Great War does not warrant any such assumption. But I forget that, with an unreasoning Government, any stick will be found good enough to strike the dog with.

I, however, do not deny the necessity of increasing the revenues of this province to meet the ever-increasing need for ameliorating the condition of the masses and for making rapid progress in all nation-building subjects. But so long as there are no plans and no machinery to carry them out, the proposals of taxation must be opposed. As I have shown, no just cause exists for fresh taxation. Up till now no well-thought-out plan of work spread over, say, 5 years, redounding to the credit of the Ministry has been laid on the table, although the Ministers were profuse in their promises of such plans. Such plans have up till now not materialised.

Sir, a tendency to earn cheap applause without meaning to do work should cease. Oftentimes expenditures are shown against receipts in the framing of Budgets, and those expenditures are not carried out. Rupees 14½ lakhs in the Central Fund Account and 2 lakhs of Public Health, 4½ lakhs in the Scheduled Caste Fund Account could not be spent, yet some of our Scheduled Caste friends, simple in their belief, cling to the apron strings of the Treasury Bench.

There are certain unfortunate features in the Budget which savour of communalism. The distribution of increased grant in Education will prove my contention put side by side with the non-utilization and practical refusal of voted moneys for *Santiniketan* and *Sriniketan* in Bolpur. The party in power standing in the way of expenditure of a voted grant gives a dangerous precedent and is a source of embarrassment and an insult to the Legislature.

Sir, the Government's policy of dividing the Hindus and the Muhammadans for the purpose of giving them educational institutions and appointments in public services tending to disunity where there should be unity between the Hindus and the Mussalmans is highly to be condemned. Look to the Budget and the *muktakization* of primary schools and some of the higher schools in the province for the children and youths, both Hindus and Muhammadans, of Bengal and the division in public services without making efficiency the sole test. All these are harmful to the cause of the country and highly to be deplored.

Primary education is good, but it will be prolific of evil if it is conducted on communal and religious lines. One of the worse evils Indian Nationalism suffers from is the over-emphasis that is laid by Indians on religion.

A Government which is once on the wrong path runs from one wrong to another. And so we find that the revenues of the province are being wasted in pursuit of a policy of repression. Under the plea of war emergency they are steadily encroaching upon the civil liberties of the people. The policy of repression is being continued with increasing vigour. There have been of late several cases of internment, exterrnent, of arrests and imprisonment of peasant workers, labour leaders, students and Congressmen. Not content with these they have fallen upon the liberty of the Press also. On its order on the "Hindusthan Standard" there were two motions for adjournment in both the Houses. At that time, Sir Nazimuddin emphatically declared that it was a solitary case and for one individual case against the Press it cannot be urged that the Government adopted a policy against the liberty of the Press. Conceive therefore my surprise when to-day, Sir, I got a communication from Chittagong that the Government of Bengal [Home (Political) Department] by Press Order No. 552P., dated Calcutta, the 27th January, 1940, served on the editor of "Deshapriya," Chittagong, a very popular paper, a notice calling upon the editor, an estimable gentleman, Babu Charu Bikash Dutt, not to publish any matter in "Deshapriya"—mind not merely the leading articles as in the "Hindusthan Standard"—before it is submitted for scrutiny to the District Press Adviser in Chittagong. Those who were working and earning their livelihood by conducting that paper have now been thrown out of employment and that paper to all intents and purposes has been gagged.

We must deplore also the unfortunate mentality of the present Ministry which by adopting slowly but surely this policy of repression for no just cause is unnecessarily preventing the release of some lakhs of rupees from the head Jails and Convict Settlements for being utilised for the advancement of the people. This they can do by giving up their policy of repression and by releasing all political prisoners. I think their immediate and unconditional release under the atmosphere prevailing in the province for the past 4 or 5 years would be quite justifiable. Instead of doing that the Government in pursuit of their repressive policy are seeking new sources of expenditure hardly justified by the receipts. Nothing untoward happened when over 3,000 detenus were released. On the contrary a very large sum of money was set free for the welfare of the province. I don't understand why the people are being arrested and thrown back into prisons and political prisoners are not being released.

In one part of the speech of the Hon'ble the Finance Minister we read that he deplored the conditions in which the ill-educated, ill-clad, ill-housed and malaria-stricken sons of Bengal live.

I hope he felt for them as he said, and I trust he will make the growth of chinchona plants in Bengal for the manufacture of quinine free and will not put any obstacles in the path of the people who can grow that plant in Bengal and prepare that medicine. This would be one way of translating his sympathy into action. And the other way would be to spend more for its cultivation in Darjeeling side of the Himalayas and arrange for free distribution of quinine in large scale in malaria-stricken parts of the province.

The health of the people of Bengal as much as the industrialisation of the province and the removal of illiteracy of the masses are the real and true source of Government income. Tackle these problems and you will have tackled as well as the problems of unemployment which is eating into the vitals of the society.

Rai Sahib INDU BHUSAN SARKER: Mr. President, Sir, as I rise to speak on the Budget, I must at the outset offer my sincerest congratulations to the Hon'ble Finance Minister who within so short a time of his assumption of this portfolio has been able to take a complete grasp of a country's Budget in all its intricacies, and also for the very able and lucid manner in which he has presented his Budget. It speaks of no mean achievement on his part. But the state of finances of the province which he has revealed in his Budget statement has been disappointing to the people, at it has been to the Finance Minister. Provincial Autonomy in Bengal started with a clean slate, and by the Order-in-Council giving effect to the Niemeyer Award substantial resources were made available to the Provincial Government to take up nation-building activities on an increasing scale. But what do we find to-day? At the conclusion of only three years' working of the new Constitution, provincial finances have been reduced from a position of great solvency to one of utter bankruptcy. The Budget for 1940-41 is a deficit Budget like its predecessor. The year 1937-38, the first year of Provincial Autonomy, opened with a revenue surplus of Rs. 1,17·7 lakhs and had an opening balance of Rs. 1,05·8 lakhs. To-day from the Budget Estimates of the next year we find that not only revenue surplus has been replaced by huge deficits, but also our opening balance has been reduced to a dangerously low level, which the Finance Minister has himself admitted, and that temporary advances under the Ways and Means position from the Reserve Bank has enabled the Government to meet the obligation of keeping the statutory minimum with the bank. At the end of the next year the balances would stand at only Rs. 72 lakhs. This is a sad state of affairs. I do not propose to go into the actual receipts

and expenditure for the next year, figures of which have been given in the Budget and with which we all are aware. I shall, however, content myself with some general remarks that are pertinent to a Budget discussion. Sir, I have, of course, no fetish for financial orthodoxy and budgeting for a surplus. A surplus Budget is not necessarily the best Budget. A Budget to be regarded as a sound Budget, judged by all canons of public finance, must contain a plan—a well-thought-out comprehensive plan—for the moral and material advancement of the people. Such a Budget might even be a deficit Budget in some cases. Taking the Budget over a number of years, if it shows a surplus and if as an instrument of Government policy it can increase national prosperity, it should be regarded as a sound Budget. This is commonly known as the cyclical Budget. Such a procedure should have been followed by the Finance Minister, if he aims at prudence to attain material prosperity of the people. Looking from this angle, I do not consider the deficit in the Budget by itself to be a very dark feature of the state of our national finance. But when I look at the expenditure side of the Budget, I am constrained to remark that my feeling is altogether different. Most of the nation-building departments have been allotted more money in the next Budget, as will be evident to you from Appendix II of the Statement made by the Finance Minister. For example, Rs. 5 lakhs 89 thousand have been the increase on account of the Irrigation Budget. A few minor schemes of irrigation have only been attempted, but the Finance Minister has given us no indication that the Government intend to take a complete hydraulic survey of the province, so that on the findings of that survey schemes may be put into operation for revivifying the dead and dying rivers, silted up canals and river beds of the province. Speaking for my district, I mean Faridpur, I want to draw the attention of the House to the fact that two main rivers flowing through the district, namely, the Kumar and the Madhumati, are in a process of being dried up, and navigation in those rivers has become extremely difficult. River communication between Madaripur and the district headquarters is extremely inadequate and insufficient. I am grieved to find that no provision has been made in the next year's Budget too for the resuscitation of these rivers. The Medical Department has been fortunate in getting an increased grant of over Rs. 7 lakhs, but that disbursements have not been judiciously made, according to the urgency of the case, will be plainly evident from the fact that no grant has been made to the Jadavpur T.B. Hospital. It is a pity that such a noble institution has not been given anything. I on my own part fail to understand why an amount of Rs. 5 lakhs 62 thousand in excess of the current year's grant has been provided for Debt Conciliation in the coming Budget. When the Bengal Agricultural Debtors Act was enacted it was thought the Debt Settlement Boards would be abolished after a few years, and they would not

remain a permanent feature of the Budget. This hope has also been falsified in the next Budget. More money has, no doubt, been provided in the Education Budget. But have the Government been able to chalk out an educational policy for the province? Sir, the Hon'ble Premier in charge of Education and the Hon'ble Finance Minister went on tour to Faridpur and they paid a visit to the existing Government Middle English Girls' School and gave us a definite assurance that the school would soon be raised to the status of a full-fledged Government High English School for Girls. But, Sir, I am sorry to find that no provision has been made for this purpose even in the next year's Budget. I would again draw the immediate attention of the Hon'ble Ministers for giving their sympathetic consideration to this much-needed institution. Even what the Government are doing for introducing free and compulsory education in the province is of a halting and half-hearted character. Rs. 5 lakhs allotted for primary education in the cess-paying districts is too inadequate.

Sir, regarding the method of collection of education cess, I suggest that tenants' share should be collected by the Union Boards or some other agencies and not be thrown to the shoulder of the zemindars who have been reduced to almost bankruptcy and are not in a position to give their own share. So, I would earnestly appeal to the Government to see that zemindars and tenants should give their education cess separately in order to lessen the burden of the former. The present educational grant is something like a sop to popular demand and it should have been much more than the budgeted amount. Sir, so far as the Agriculture Budget is concerned, only Rs. 5 lakhs have been provided for Famine Relief, a sum likely to fall far short of requirement. Three lakhs has again been placed at the disposal of the District Officers for rural reconstruction, as if rural reconstruction work can be done in such a tinkering manner without any plan whatsoever. Thus, it will be clearly evident to you, Sir, that grants have been made without any consistent plan. They are in the nature of doles, the largest share being given to those items where political pressure has been greatest. The Hon'ble Finance Minister has threatened us with fresh taxation. The country is already overtaxed and any proposal of new taxation at this stage is likely to be strongly taken exception to. Why the Finance Minister proposes to raise fresh taxes? Is it to finance the revenue deficit? The Government have, no doubt, curtailed expenditure in some directions; but may I ask, could not further retrenchment be effected before fresh taxes are being tackled off? Have the Government done all they could do to economise their expenditure? Could not expenditures on the General Administration and Law and Order accounts be curtailed? On the other hand, expenditures on these two items are continually mounting up. It might be argued that other provinces have also imposed fresh

taxes and there is no reason why in Bengal there should be none. But the analogy of other provinces in this respect does not hold good. There the provinces have thrown away sources yielding substantial revenue as a matter of policy, viz., Prohibition. So much purchasing power, therefore, lies at the hands of the people, which the Government can certainly tap by some other means. But this cannot be said of our Government. Some of my honourable friends have suggested that the Government might approach the Central Government for larger shares out of the proceeds of the Jute Duty and Income-tax other than levied as Corporation tax. But it is futile to expect larger share on these two heads so long as the war continues. Only the other day, amendment to the Orders-in-Council has been made which reduces the provinces' share of 50 per cent. by Rs. 4½ crores at least for the next three years.

One word more, and I am finished. Sir, to me it appears that the Budget does not reveal a true picture of the financial situation of the province. The deficit is likely to turn out more than what is expected. For the Finance Minister himself has said that "estimates of expenditure have been made on the basis of normal pre-war prices, and that the Government shall have to meet unexpected demands arising out of the war and to face higher prices in many directions." Of course, when the war has been on us for nearly six months, there is no justification for making estimates on the basis of pre-war prices. Prices are sure to rise; and consequently the deficit will also mount. In a word, it seems, if the budget is to be regarded as a mirror of the schemes of the Government, then the Government are not at all serious about their business. What is supremely needed at the present moment is a well-thought-out comprehensive scheme of national development on a planned basis.

Adjournment.

The Council then adjourned till 2-15 p.m. on Tuesday, the 27th February, 1940.

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MEMBERS ABSENT.

[26TH FEB., 1940.]

Members absent:

The following members were absent from the meeting held on the 26th February, 1940:—

- (1) Mr. Nur Ahmed.
- (2) Mr. Moazzemali Chowdhury.
- (3) Mr. Humayun Reza Chowdhury.
- (4) Khan Bahadur S. Fazal Ellahi.
- (5) Mr. Mohamed Hossain.
- (6) Khan Bahadur Syed Muhammad Ghaziul Huq.
- (7) Khan Bahadur Maulvi Muhammad Ibrahim.
- (8) Maulana Muhammad Akram Khan.
- (9) Mr. H. G. G. Mackay.
- (10) Rai Bahadur Satis Chandra Mukherji.
- (11) Khan Bahadur Ataur Rahman.
- (12) Mr. J. B. Ross.
- (13) Khan Bahadur M. Shamsuzzoha.

THE BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Tuesday, the 27th February, 1940, at 2-15 p.m., being the sixth day of the First Session, pursuant to section 62(2)(a) of the Government of India Act, 1935.

Mr. President (the Hon'ble Mr. SATYENDRA CHANDRA MITRA) was in the Chair.

QUESTIONS AND ANSWERS

Orders issued under section 34 of the Bengal Agricultural Debtors Act,

32. Rai BROJENDRA MOHAN MOITRA Bahadur (on behalf of Mr. Ranajit Pal Choudhury): Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

- (a) whether instances have not, of late, come to his knowledge in which the Chairmen of certain Debt Settlement Boards have wrongfully kept alive the orders issued under section 34 of the Bengal Agricultural Debtors Act—even after the dismissal of the applications; and
- (b) if the answer be in the affirmative, what step or steps he has taken or proposes to take to put an end to such a state of things?

MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (a) No.

(b) Does not arise.

Interpretation of certain sections of the Bengal Agricultural Debtors Act.

33. Rai BROJENDRA MOHAN MOITRA Bahadur (on behalf of Mr. Ranajit Pal Choudhury): Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

- (a) whether it has come to his knowledge that in some places the Debt Settlement Boards have put different interpretations upon some sections of the Bengal Agricultural Debtors Act;

- (b) if so, whether in consequence of such conflicting interpretations, irregularity has occurred in the administration of the provisions thereof in those places; and
- (c) if so, whether he proposes to bring about such an amendment of the Act as will vest the District Judges with powers of second appeal from the decisions of the Boards?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (a) No.*

(b) does not arise.

(c) The hon'ble member's attention is invited to the provisions of the Bengal Agricultural Debtors (Amendment) Bill as passed by this House on the 19th January last.

Khan Bahadur NAZIRUDDIN AHMAD: With reference to answer (a), will the Hon'ble Minister be pleased to state if it is a fact that the interpretations of the Debt Settlement Boards are uniform or that no information is available to the Ministry?

The Hon'ble Mr. MUKUND BEHARY MULLICK: It is very difficult to give an answer to that question. All that I can say is that if the Boards commit mistakes, there is always provision for an appeal to the Appellate Officer.

Khan Bahadur NAZIRUDDIN AHMAD: Is it a fact that the decisions of the Debt Settlement Boards are very very divergent throughout the area?

The Hon'ble Mr. MUKUND BEHARY MULLICK: Not unlikely, because we have got at least 300 to 400 Debt Settlement Boards. It cannot be expected that their decisions will be uniform.

Publication of an article captioned "Observance of Deliverance Day" in "Deshor Vanee".

34. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that *Deshor Vanee*, a Bengalee weekly of Noakhali, has been asked by the Additional Secretary of the Home Department to furnish information in connection with an article captioned "Observance of Deliverance Day", published in the issue of the paper, dated the 3rd January, 1940?

(b) Will the Hon'ble Minister be pleased to state what matters were published in that paper to which Government has taken exception and for which information has been sought and to state further under what rule or law such information has been required?

MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (a) Yes.

(b) The hon'ble member is referred to the terms of the order itself, a copy of which is placed in the Library.

The Bengal Cruelty to Animals (Amendment) Act.

35. Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the promised extension of the Bengal Cruelty to Animals (Amendment) Act to the districts of 24-Parganas and Howrah will now be carried out? If not, why not? What has Government so far done to implement its promise?

The Hon'ble Khwaja Sir NAZIMUDDIN: Negotiations with the local bodies interested in the matter are not yet complete.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state how long will the Government take to complete the negotiations?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is very difficult to say. As I stated in the House more than once, it depends largely on the local bodies coming up with an organisation that can carry out the duties imposed upon them by the Act and the question of money is also there. Up till now the local bodies have not been able to get up an organisation which would be prepared to shoulder the responsibility.

Mr. LALIT CHANDRA DAS: When was the last negotiation made?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is continuing; there is no question of ending it. Efforts are being made by local officers to establish a society which can undertake the duties.

Mr. LALIT CHANDRA DAS: Efforts are being made for the last one year and a half and still not a single society has been found?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not a question of an organisation being found. It is a question of expense and somebody must be responsible for the expenditure.

Mr. LALIT CHANDRA DAS: Cannot Government find the money also?

The Hon'ble Khwaja Sir NAZIMUDDIN: Government are not prepared to shoulder the entire responsibility.

Mr. LALIT CHANDRA DAS: Are they prepared to take the partial responsibility?

The Hon'ble Khwaja Sir NAZIMUDDIN: That will depend on any concrete scheme that might be put up before them.

Ban on Comilla Abhoy Asram.

36. Mr. LALIT CHANDRA DAS: (a) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether Government now proposes to withdraw the ban on the Comilla Abhoy Asram?

(b) In respect of how many institutions in Bengal such ban is still persisting?

(c) Will the Hon'ble Minister be pleased to give names of those institutions in Bengal on whom ban is still continuing?

The Hon'ble Khwaja Sir NAZIMUDDIN: (a) No.

(b) 39.

(c) A statement is placed in the Library.

Mr. LALIT CHANDRA DAS: Will the Hon'ble Minister be pleased to state what is standing in the way of withdrawing the ban on the Comilla Abhoy Asram?

The Hon'ble Khwaja Sir NAZIMUDDIN: The reason that led to the ban being imposed still exists and in war time I do not feel justified in withdrawing the ban.

Interim Report of Select Committee on the Bengal Shops and Establishments Bill, 1939.

The Hon'ble Mr. H. S. SUHRAWARDY: May I on behalf of the members of the Select Committee on the Bengal Shops and Establishments Bill, 1939, beg to submit our interim report?

Mr. PRESIDENT: Yes.

The Hon'ble Mr. H. S. SUHRAWARDY: Sir, I have to submit an interim report, because we have not been able to prepare the final report for being placed before the Council on the 28th of February, 1940, the day on which the Council by a motion directed the Committee to present their report. I, therefore, ask that the Council may be pleased to extend the period for the submission of the report to the 15th of April, 1940.

Mr. PRESIDENT: The question before the House is: that the period of submission of the report of the Select Committee on the Bengal Shops and Establishments Bill, 1939, be extended from the 28th of February to the 15th of April, 1940.

• **Mr. HUMAYUN KABIR:** May I make one remark on this point? I think the Hon'ble Minister will agree with me when I say that it is very unfortunate that many members of the Select Committee have not attended the meetings of the Select Committee and that on two consecutive occasions meetings of the Committee could not be held on account of want of quorum. May I with your permission move an amendment to the original motion which was carried and make the quorum 3 instead of 5 as provided for in that resolution? If there is no objection, I think the change might be effected. I think the Hon'ble Minister has no objection to this.

• **The Hon'ble Mr. H. S. SUHRAWARDY:** If it is in order, I have no objection to reducing the quorum from 5 to 3.

Mr. PRESIDENT: It is a very important Bill and that is why I think it would not be proper to have the quorum reduced from 5 to 3.

Mr. HUMAYUN KABIR: But, Sir, it has failed to meet on two consecutive occasions on account of quorum.

Mr. PRESIDENT: If the quorum is fixed at 3, some of the parties might feel that they are not at all represented. Further, as the subject is an important one, I cannot allow the matter to be discussed at this stage without notice.

The question before the House is: that the period for submission of the Report of the Select Committee on the Bengal Shops and Establishments Bill, 1939, be extended from the 28th February, 1940, to the 15th of April, 1940.

(The motion was agreed to.)

Mr. HUMAYUN KABIR: There is one other matter to which I would like to draw the attention of the Hon'ble President. The proofs

of the proceedings of the Bengal Legislative Assembly are generally placed in the library and it is of great convenience to the members in that they are able to consult them there. May I request you to direct that the proof copies of the proceedings of the Council also should be placed in the Library?

Mr. PRESIDENT: The Chair will consider the question.

The House will now resume further discussion of the Budget Estimates for 1940-41.

GENERAL DISCUSSION ON BUDGET.

Khan Bahadur M. ABDUL KARIM: Mr. President, Sir, on behalf of my party it is my pleasant duty to extend our sincere welcome to our new Finance Minister. As is the way with elderly people, although we make new friends, we seldom forget the old and, as a matter of fact, we sincerely miss the presence of the ex-Finance Minister, Mr. Nalini Ranjan Sarker, who by his towering personality, gentle disposition, and amiable manners had endeared himself to all of us. It is a matter of still more regret to us that we shall hear his sweet eloquence with a sprinkling of sturdy common-sense no more in this hall. Although we welcome the new Finance Minister, it is equally our duty to offer on behalf of my party our sincerest condolences to him in his bereavement, perhaps the saddest that can fall to the lot of a man,—the death of an only son,—and we hope and pray to God that He may give him strength to bear up this terrible affliction.

Sir, this is the fourth time that I have been speaking on the Budget, and I need not recapitulate my objections to the Budget, which I have placed before the House in previous years. I have no fault to find with any particular Finance Minister, but I think that I could not up till now reconcile myself with the principle on which the Budget has been framed during the last four years. Some of those principles are well known to the hon'ble members of this House; I explained them on the last occasion. As a matter of fact, no Budget can be acceptable to me or to any member of my party which is not framed in accordance with a human back-ground behind it, and which does not take note of the actual needs and the requirements of the population entrusted to the charge of particular administration. We have been told that Government is a machinery. It means that it is neither he nor she; it is "it" and in the majority of such administrations there is the absence of that human element which ought to determine the affairs and welfare of men. It is mainly on that principle that I have all along objected to the Budget and also suggested to the former Finance Minister that there should be a Standing Finance Committee, as there is one in the Central Legislature, in which the members of both the Houses, at least

the leaders of both the Houses, must take part. Although Mr. Sarker gave me some reason to hope that a Finance Committee would come into existence or rather would be established, as a matter of fact, nothing more is heard about it now. That was especially necessary because the Upper House (Mr. RANAJIT PAL CHOUDHURY: Have patience) was not represented in the Cabinet, and it must be a great misfortune for the province of Bengal that the riper experience and the wider knowledge of the members of this House, His Excellency the Governor cannot take advantage of. For that reason, I suggested that we were willing to give advice, although we may not enter the threshold of the Cabinet. Take our advice in full.

Mr. SHRISH CHANDRA CHAKRAVERTI: They do not want it.

Khan Bahadur M. ABDUL KARIM: It is no good placing the Budget before us for only three days' discussion. The amount of time is not ample enough to give them the proper advice that we are in a position to give. So I suggested this as an alternative, because there was no possibility of any member of this House being taken on in the Cabinet.

Mr. RANAJIT PAL CHOUDHURY: There may be possibilities in future—next month.

Khan Bahadur M. ABDUL KARIM: Trust no future, however pleasant. Now, Sir, as the time at my disposal will be very limited because there are other honourable members willing to speak, I will take up only a few points and submit them before the Hon'ble Finance Minister for representation before the Cabinet.

Sir, it is quite true, as the Hon'ble Finance Minister said and it is a matter of common knowledge that the sources of revenue as they have been allocated to this province are inelastic. Dr. Mookerji the other day found fault with the Central Government that they had limited the resources of this province. I, Sir, will not take the trouble to go to Delhi and make a complaint against Delhi. I have my grievance against my own Government. It is this. The sources of provincial income are limited, but the expenditure is expanding. The only thing that the poor Finance Minister of Bengal can do is to think of fresh fields and pastures new. I thank the present Finance Minister for his boldness in making two statements in connection with the Budget, and I am particularly grateful to him for both these statements.

The first is the official pronouncement that has fallen from him that Bengal is ill-educated, ill-fed, ill-housed and malaria-stricken. I am particularly thankful for this official pronouncement because, Sir, this

is a matter which every mother's son in Bengal knows but, coming as it does as an official pronouncement, my submission before this House is that this is the first milestone in the progress towards our political emancipation and our economic progress. Once you admit this cardinal point that Bengal is such-and-such, that would give you very strong grounds to approach the Government of India with the object of getting more money from it. It will strengthen our hands and it will open the eyes of the Provincial Government also to the immediate necessity of finding resources anyhow either by retrenchment or by further taxation, leave alone the question of floating a loan for the present. Now, Sir, it brings to my mind the saying of that satirist Persian poet Khaqani who said,

Bar iin máni mohaqqak shùd Ba Khaqani,

Kay Nani Zowja ey Nana O Nana Shauharey Nani.

It means this: "After long years of research and historical study, I have discovered a great truth and that is that the grand-mother is the wife of the grand-father and the grand-father is the husband of the grand-mother." That Bengal is ill-fed is a matter of common knowledge. It gives me a strong handle to *pakrao* this Government and also approach the Central Government. Now, Sir, as for the second statement of the Hon'ble Finance Minister,—of course this was made in the Lower House—we are very grateful too. He said that he would be coming up with fresh proposals for taxation. From those who are big-bellied, by depredations on them I am going to bring out something for your delectation and for your subsistence. The rich people should beware of the steam-roller that the Hon'ble Mr. Subhrawardy will put into action before the end of this session. That was his address to the Lower House. "Don't you be disappointed. I am coming up soon with fresh proposals for taxation." Now, Sir, those fresh proposals are intended to touch the people who are placed in a higher position in society by virtue of their wealth, their power or other things. But, Sir, the engineer who has got to deal with the abysmal rush of the Niagras must lay aside the tools good enough for constructing the bridge-water canal. When the situation is one of emergency,—and I say that in Bengal the financial situation is one of emergency, bio-chemic treatment won't do. You require to make some major surgical operation in the body-politic. Therefore, like an able Finance Minister he is coming out with what he is going to impose. As a matter of fact, timidity or nervous hesitancy is hardly a fit attribute for a Finance Minister. No question of loan; tax people. There are people who can pay for the benefit of the less favoured and the poorer ones. That is like a Finance Minister!

Last time, Sir, I spoke about Education. I shall simply draw the attention of the Hon'ble Finance Minister to certain figures in the

Budget. Sir, the Raja Bahadur of Nashipur gave all the credit to the Hon'ble Finance Minister for the pains taken by him in presenting this Budget. I, Sir, am not going to rob Peter to pay Paul. I should say that the Minister must give up some portion of the praise bestowed on him, and I am going to transfer that amount of praise to the officers of the Finance Department for the real trouble they had taken. Now, Sir, the position is this. If the Hon'ble the Finance Minister will please look to the Civil Estimates of the Education Budget he will find—I give him and the other honourable members of this House the figures—that Primary Education claims 33 lakhs out of the total grant under the head "Education" of rupees one crore fifty-seven thousand and odd. Secondary Education also has got the same even-handed justice of Rs. 33 lakhs. Then come Collegiate Education and the University. I am not going to refer to them. Now, if 33 lakhs can be allotted for the purpose of Secondary Education, don't you think that the amount allotted to meet the needs of Primary Education should be trebled at least? On reading the Budget as a whole, you will find that a disproportionately large sum has been given to Collegiate Education to the detriment of Primary Education in this province. And, Sir, if you compare the figures of expenditure on Primary Education in other provinces, you will find that the incidence of cost per head of pupil is the lowest in Bengal, although this is said to be the most advanced province of India. It means that here some sections of the educated people are prospering at the cost of the other sections. It will be for you, Sir, to consider whether or not it requires readjustment. Now, this is the last word that I have to say on Education.

I shall now take up Agriculture. May I remind the Hon'ble Minister for Finance of that most important pronouncement of His Excellency Lord Linlithgow when he said: "Those who govern and those who aspire to govern India must never allow themselves to forget that India's wealth in an overwhelming degree lies in her Agriculture and that upon the welfare of these agriculturists is founded the whole structure of India's economy." The political problems, acute and sometimes baffling as they are, are as dust in the balance weighed against the superior importance of the agricultural emancipation of India. That being so, Sir, even after the release of the Report of the Royal Commission on Agriculture, what is the Agriculture Budget in Bengal? Sir, I shall give you figures for four years. In 1936-37 it was only 10 lakhs and on the inauguration of the Reforms or rather with the advent of Provincial Autonomy, there was an addition of one lakh in 1937-38. In 1938-39 it mounts up to only Rs. 16 lakhs. In 1940-41 it is now 17½ lakhs, that is to say, from 1936 to 1941 you get an increase of only about Rs. 7 lakhs under the head Agriculture. Well, considering the importance of the subject and considering also the grant, you will find that there is a hopeless disparity between the two, that is to say, the ideal is entirely divorced from practice.

Another matter I will ask you to consider. My point is this, that in making allotments for expenditure, the importance of the subject should be considered and accordingly allotments should be made. This principle you have not followed and you are not following.

Then, I come to another matter and that is a very short matter and with this I will finish my remarks, because a word to the wise and able Minister like the present Finance Minister will be quite enough. If I simply point out the way along which he has to go, he will find it out for himself. It is this: I am glad that the Hon'ble the Judicial Minister is also here,—the Judicial Budget is a vicious Budget to say the least of it. We find from the figures supplied that as a matter of fact the court-fees paid in cash amount to 1 crore 74 lakhs, and in stamps 30 lakhs. That means 2 crores 6 lakhs. The expenditure on the entire Administration of Justice is 1 crore and a little more, so that the Government makes a profit of about a crore under the head "Administration of Justice." I would ask the Hon'ble Finance Minister if there is any country in the world where profit is made out of Administration of Justice. As far as we know, justice ought to be given gratis, but here we pay for it. Not only we pay for it, but the Government make one crore out of Administration of Justice. Therefore, I would like to say that two courses are open. One is to reduce the scale of the court-fees. Take just as much as you require for Administration of Justice. I do not insist on that highest ideal that Government must give us justice free. Take the amount which is needed. Reduce the income or set apart this for work of ameliorative or beneficial purposes, for the benefit of the nation-building departments. Set apart this just as you have set apart Rs. 10 lakhs specifically for famine purposes. Set apart that amount as a surplus, and it will go back for the purpose of nation-building departments alone. I might remind the Hon'ble Finance Minister also that when Sir John Simon came to Calcutta and made an investigation in connection with the labours of the Statutory Commission, he was simply amazed to learn that Government in Bengal was going to make a profit out of the Administration of Justice. The cost of litigation is higher than the cost in the other countries. There is the official record, and I would refer the Hon'ble Finance Minister to those papers where it is said that Sir John Simon was simply amazed. Therefore, my submission is that as a matter of fact this is a vicious Budget.

Now, as regards General Administration, the expenditure is so very high that it ought to be reduced. I press for a Retrenchment Committee. Mr. Sarker, instead of constituting a Retrenchment Committee, appointed a Special Officer to consider the Swan Committee's recommendations. A White Paper was placed before us by the Special Officer. I do not know who the gentleman was; he must be a senior civilian. A White Paper was placed in our hands. For ourselves, we can truly and verily say that we are not at all convinced by the report.

When there are so many committees formed in Bengal, as was stated by the Hon'ble Finance Minister, and so many committees are already in progress and are doing their work to satisfy our doubts and suspicions, is it too much to expect that the Government would appoint a Retrenchment Committee consisting of the Leaders of both the Houses, and I should advise also some outside experts to consider the financial position of the Government of Bengal?

Now, there is one other matter to which I must refer before I sit down. The Chair will be pleased to give me five minutes. It is this: In the present-day administration, decentralisation should be given effect to as wide as possible. Instead of doing that, we are having all powers centralised in Calcutta and in the hands of certain administrators. Decentralisation is a boon and centralisation as is being done is also a vicious policy. I would refer to one or two items, viz., augmentation grant to the district boards. We have, as I have already said, 50 thousand workers, trained workers in the persons of the members of the union boards. These workers are about 50 thousand in number. You are not placing any money in their hands. You are placing only Rs. 9½ lakhs at the disposal of the 26 district boards in Bengal for augmentation grants. You are making so many appointments for the personal benefits of some people, but you are not taking any notice of the units of the administration and to that extent you are responsible not only to man but also to God. You are wasting the money which may be measured in terms of human blood. Therefore, I think that the whole thing has to be recast. Dr. Mookerji may be interested to know how the cost of General Administration came to be so high. He has got comparative figures for all the countries and provinces. When the proposal was made that Diarchy should be the form of Government, at that time the Home Department became nervous. They increased the pay of the officers before Diarchy came into force. When all these increments were made, one of the Munsifs ran to my house saying, "Maulvi, have you heard anything about my pay? I was drawing Rs. 300 and from the 1st of April I shall draw Rs. 700." The Executive Government thought that the servants who rendered faithful service should be rewarded and immediately before the introduction of Diarchy in 1907, it was Sir Henry Wheeler's time, I do not remember the date, the pay of the officers were immensely raised and a moiety was granted to the transferred departments. Shrewd observers then remarked that it was done purposely, that is to say, this paltry amount was given to the nation-building departments, so that the Ministers would not be able to show any good work and thereby the superiority of the British administration would make a deeper impression on the minds of the people. That being the case, let us go back to the old days and for that I strongly advocate again and again that a Retrenchment Committee should be formed consisting of the leaders of both the Houses, and with some expert outsiders.

Rai Sahib JATINDRA MOHAN SEN: Mr. President, Sir, I congratulate the Hon'ble the Finance Minister on the fairness and lucidity with which he has presented his first Budget. Since the inauguration of Provincial Autonomy, the Provincial Budget is awaited with a good deal of eagerness and interest. The Provincial Budget gives a picture of the past and present efforts as well as the future efforts to be made by the Government to promote the welfare of the province. It indicates whether the Government have rightly realised the true needs of the province and if they have, whether they have risen to the required height to meet those needs.

Now, if we look to the Budget we are bound to say that its provisions have not come up to our expectations. The present Government are strongly entrenched in power for three years and this is the Budget for the third year. It cannot, therefore, be said that they have had no time to formulate schemes and to proceed on planned basis in the framing of the Budget. The present Budget does not give indication as to how the Government propose to tackle the various major problems which are awaiting solution in their hands. There are touches here and there and my considered view is that a lot of money will be wasted, as has been wasted in previous years, in giving these touches.

The financial position of the province seems to me to be good. The Budget presented to the House a year ago was a deficit Budget. It was estimated that the expenditure would exceed revenue by 87 lakhs but actually the excess expenditure over the revenue will be only 48 lakhs and if some accounting adjustments are made, the deficit will only be 14 lakhs. The deficit will be met from the closing balance. There was a proposal to take a loan of 1 crore to wipe out the deficit of 87 lakhs, but thanks to the growing financial strength due to war and other causes, this loan has not become necessary.

The Hon'ble the Finance Minister has observed in more places than one that he has framed the Budget with caution and that he has not relied on the prospective improvement of the financial position. The war, from all appearances, is likely to last for at least a couple of years if not more. All exporting countries are making huge profits. Bengal has valuable raw materials to export at good prices. So Bengal is bound to make huge profits in the coming years. Why should not then the unexpected income be utilised now for the solution of the many problems which are awaiting solution for dearth of money? A certain percentage may be kept in reserve, but it would not be a sound policy to conserve the whole of it for future emergency. Individuals will take the opportunity and build up various industries and will contribute their income by way of increased taxes when the normal condition will return. The Government are not likely to face any financial difficulty hereafter. My humble suggestion is that this golden opportunity should not be lost.

I have said that the Government have given touches here and there. Let me explain what I mean. Health, Wealth and Education are the three things which go to contribute to the building of a sturdy individual. There is no denying the fact that in these respects, Bengal stands almost lowest in the rung. Provincial Autonomy to my mind would be meaningless if our popular Government did not seriously tackle these problems. I do not say that they are not making honest efforts in this direction, but my regret is that they have not risen to the required height to do the needful. What has been done is too small in comparison with the magnitude of the work still to be done. I take up rural reconstruction to illustrate my point. About 80 per cent. of the people are agriculturists and live in villages. Rural reconstruction programme should include all those items which would go to make the rural people healthy, wealthy and wise. Improved homes to live, drainage, irrigation, eradication of malaria, prevention of epidemics, good drinking-water, improved agriculture, good breed of cattle, cottage industries, schools, gymnasium, libraries, sports, amusements, social gatherings, etc., should be included in the programme. Crores of rupees are required to put such a scheme into success. But what do we find in the Budget? Three lakhs is placed at the disposal of District Officers and 2½ lakhs interspersed under various Budget heads. This 5½ lakhs will be a mere drop in the ocean. The policy of spending money in dribs and drabs on a major problem like this should be abandoned. The Government should be fired with imagination first and then make the determination to solve the problem at all costs. The Budget should have been balanced by cutting down all unnecessary expenditures and stopping all waste. The previous speakers have given some indication in this direction. Thus, instead of levying fresh taxation for balancing the Budget, they should take a loan of a crore of rupees or more to bring rural reconstruction an accomplished fact, say, within five years. The present policy of spending in dribs and drabs will not complete the work in a hundred years. If taxation be necessary for repayment of the loan with interest, the country will gladly bear the burden.

There is one matter which does not appear clear from the Budget Statement or from the Budget Memorandum and the Budget Estimates. The Hon'ble Finance Minister has brought certain securities within the public accounts, which were hitherto held outside these accounts. The nature of these securities are nowhere mentioned and no reason has been given why they have been brought within the public accounts now. We are not in a position to judge the merits or demerits of this action. I hope the Hon'ble Finance Minister will kindly enlighten us on the point.

Begum HAMIDA MOMIN: Sir, in speaking on the Budget for the year 1940-41, I shall confine myself mainly to the Education Budget.

Sir, the Hon'ble Finance Minister in his speech has said that in some cases the items of expenditure on boys' and girls' education have been shown separately, which was not done in the past. Sir, I appreciate this, but there are many important items in which the expenditure for boys' and girls' education have not been shown separately. From the proportion allotted to girls in other items, I apprehended that it is not intended to give adequate funds for the benefit of the girls. The sum of 35 lakhs budgeted for Primary Education has been lumped together for both boys and girls, and it is not known how much is intended for boys and how much for girls.

Sir, Primary Education is of vital importance so far as girls are concerned. All over the country the demand for girls' education is very much on the increase, and the Hon'ble Minister in charge of Education has time without number stressed the necessity of providing facilities for the advancement of girls' education, but it is a matter of great disappointment to find that there is no indication in the Budget to show his desire to translate this intention into actual performance. Sir, we find from the last Quinquennial Report of the Director of Public Instruction that there has been no appreciable progress in the primary education of girls. On the other hand, the wastage has been appalling. Sir, for the information of the House may I quote from the Report to which I have referred? It runs as follows:—

"Of the number of girls in the primary stage, as many as 395,478 were Muslims and 288,809 were Hindus; but the number of Muslim girls in the upper primary stage was only 7,027, while the number of Hindu girls was 19,599." These figures are significant; they show that there is a tremendous "wastage" and that the wastage is much greater in the case of the Muslim pupils.

For every 86 boys who are in the lowest class of the primary schools, there are only 10 boys in the top class of the primary stage. The figures for girls are even more depressing: for every 453 girls in the lowest primary class there are only 10 in the highest class.

For every 149 Muslim boys and 1,333 Muslim girls in the lowest class of the primary stage, there are now only 10 Muslim boys and 10 Muslim girls in Class V. In the case of Hindus, there were 10 boys and 10 girls in Class V for every 52 boys and 225 girls in the lowest class.

The wastage, as has been observed, is appalling. Permanent literacy cannot possibly be obtained until a pupil has completed the primary stage of education and many educationists doubt if even the completion of the full primary stage would give permanent literacy to a boy or a girl. A great deal of money that is being expended at present on primary education is undoubtedly being wasted and brings no return.

The tables at the end of the chapter will show that though there are as many as 2,664,506 pupils in the primary stage, there are only 131,848 in the highest primary class. In 1933, there were, in the lowest primary class 416,624 girls and 985,865 boys but in the top classes, the numbers have dwindled to only 121,208 boys and 10,640 girls in 1937. The proportion of pupils in Class V to the pupils in Class I is 1:8.6 in the case of boys and 1:45.3 in the case of girls. In the case of Muslim boys the proportion is 1:14.9 and 1:133.8 in the case of girls. So roughly only one out of 15 Muslim boys and one out of 133 Muslim girls completed the full primary course.

Sir, what is the reason for this wastage and what steps have been taken by the department to counteract this wastage? The reason is not that the girls or their parents do not wish to continue their study further. We know that the girls, when they once enter a school are very keen to continue their studies if proper facilities are given. Nowadays parents are also very anxious to educate their daughters properly. Why then this falling off?

It may be said that early marriage of girls is the cause. This may have been in the past, but it is not so now.

Sir, the main cause of this is want of trained women teachers, and it is this defect which requires remedy. The girls do not mind attending schools run by Pandits or Maulvis or even a mixed school up to the primary stage, i.e., Class III. But after this the parents do not allow them to continue in a school which is not run by women teachers, and they either lapse into illiteracy or continue in an irregular manner at home. What they really do is that they read the discarded books of their elder brothers and advance in reading, whereas other subjects are entirely neglected, with the result that, later on when they want to join a high school or a training institution, they cannot pass the admission test and are found much below the standard. This we have found particularly in the case of girls from the moffussil who apply for admission in the Training Schools for Teachers.

Sir, it is very disappointing to find that, in spite of repeated demands from all quarters, nothing has been done to train a larger number of women teachers. The amount budgeted for training schools for mistresses is the same as in previous years and no additional sum has been allotted for this purpose—although an additional sum of 2 lakhs has been allotted for the training of teachers. With the exception of Rs. 1,000, the whole amount is for the training of masters.

From this it is evident that the officers who are primarily responsible for girls' education are either indifferent to the vital needs of the country or are not competent to be in charge of this important branch of education. I am sure if the Inspectresses of Schools, both of East and West Bengal, had thought out any schemes of improvement in this direction, Government could certainly have given effect to it. I

am afraid, Sir, that they are only marking time and are making no effort to remove the obstacles in the way of advancement of the education of girls. In this connection, I would like to draw the attention of the Government to the very inadequate provision made for Adult Education for which only Rs. 13,000 has been provided. Here again, the needs of women are greater than that of men and, unless you give some sort of education to the mothers, it is futile to expect much progress in the education of boys in the future.

Sir, I would like to make a brief reference to the Medical Budget. The grants to mofussil and suburban hospitals is very inadequate. I do not grudge the more generous expenditure on the hospitals in Calcutta which are intended to be the ideals to other hospitals. At the same time the mofussil and suburban hospitals should not be starved as they supply the needs of the largest number. Apart from this, Sir, the inadequate provision in these hospitals compel the people (*i.e.*, those who can afford) to flock to Calcutta hospitals for medical help and the result is that all the Calcutta hospitals are obliged to work at an abnormal condition almost throughout the year. This is neither desirable for the patients nor for the workers. Even with this state of things in the Calcutta hospitals, the poorer people in the suburban and mofussil areas are practically left to their lot. And even with this state of things in Calcutta hospitals a large section of the population in the mofussil are left to suffer without proper medical aid within their reach or resources. It is therefore desirable, Sir, that Government will take into consideration the deserving cause of these suburban and mofussil hospitals which exist for the poor. In this connection, I would like to point out that the allotment of Rs. 4,500 only to the Prince Gholam Muhammad Charitable Dispensary at Tollygunge which caters for a very large number of poor people is very inadequate, and I hope that this sum is only a forerunner of what is to come in the future.

Alhadj Khan Bahadur SHAIKH MUHAMMAD JAN: Sir, in the first place, I join my honourable friend, Khan Bahadur Abdul Karim, in offering my sincere condolences to the Hon'ble Mr. Suhrawardy on the sad death of his only son.

As regards the Budget, I think enough has been said by honourable members by way of criticism or encomiums and there is nothing left for me to say anything this way or that. But, Sir, I will be failing in my duty if I do not take this opportunity of congratulating the Hon'ble Shaheed Suhrawardy for yet another victory scored by him in the political field of Bengal. Of all members comprising the present Council of Ministers, he is the only Minister of importance who had occupied all important positions which became vacant due to the resignation of other Ministers. Government will not find any fit person or persons to take their places, and he is the only fit person

that they could always find. Neither among the all-Bengal eleven nor from the Assémbly nor from this Upper Chamber could they find a more suitable person for this important portfolio than the Hon'ble Mr. Suhrawardy. Sir, the Upper Chamber remains unrepresented since the inauguration of Provincial Autonomy in Bengal. But, Sir, whatever other successes the Hon'ble Mr. Suhrawardy might have achieved elsewhere, he cannot be regarded as a very successful Finance Minister of Bengal.

In the first place, unfortunately for him as well as for this Presidency, his Budget is a deficit Budget. And according to him, he has no other alternative but to fall back upon the meagre reserve of this province, and thus to balance the Budget.

In the second place, his proposals in relation to nation-building departments are very poor in their outlook, and they do fall short of much of the expectation on this side of the House who are the staunchest supporters of the Government. Therefore, Sir, they cannot solve the economic problem of Bengal. In my humble opinion, without financial ingenuity and business foresight and above all, without the creation of an atmosphere of good-will and co-operation between the different communities, Bengal cannot get out of the financial rut into which it has fallen. In the Budget which has been presented, once more the same old melancholy tale has been repeated which we have been accustomed to hear for the last three years—that we are living beyond our means and funds are not available for compulsory free primary education in Bengal, and so on and so forth. But, Sir, it is rather sad that when this most wise economic principle "cut your coat according to your cloth" is very rigidly followed in regard to the nation-building departments, the same principle is observed more in the breach than in practice in other departments. Therefore, this year the cost of General Administration has tremendously increased and no efforts have so far been made to reduce the expenditure on Indian Civil Service which is taking away the lion's share of the Budget. As popular Government is very costly, the cost of administration in Bengal has particularly increased due to handsome salaries drawn by the Hon'ble Ministers and the very high allowances paid to three hundred and odd members of both the Chambers and the extensive propaganda which has been taken up by Government. As no other means of income has been devised by Government, the burden of this extra expenditure has fallen on the shoulders of the poor people. As it is, the nation-building departments are being starved. In fact, in my humble opinop, without any disrespect, I may say that in the Budget no comprehensive scheme has been formulated by the Government for Education, Sanitation or Irrigation in Bengal, and the result of this will be that the teeming millions at the end of this year will remain as ill-educated, ill-fed and ill-housed and malaria-stricken as they are at the present moment. Sir, the reasons for such gross inactivity

and for the wait-and-see policy of the Government are not far to seek. As the present Government depends upon unnatural coalition of parties which are diametrically opposed to one another in their national outlook and economic interests, the result has been that a great community like the Hindus is practically unrepresented in the Cabinet. My statement may appear personal, but I hope you will not deny when I say that the Hon'ble Sir Bijoy Prasad Singh Roy and the Maharaja of Cossimbazar, in spite of their great personalities and social status, are no true representatives of the Hindus. That is one of the reasons why Sir Bijoy Prasad Singh Roy is anxious to get elected to the Upper Chamber. He is afraid that he will not be elected by any constituency in the next general election to the Assembly.

However, what I wish to impress upon this House is that any scheme sponsored by the Government and supported by these Hindu Ministers can never find favour with even a fraction of Hindu population of Bengal and, therefore, all efforts, however sincere and genuine they might be, cannot be successful unless the two communities come to see eye to eye with one another and take their due share in the administration of the province. In the words of Sir N. N. Sircar, there is no hope for this province unless Hindus and Mussalmans of Bengal can compose their differences, and I would add compose immediately before it is too late.

I hope that the talks going on between the leaders of the two communities will be successful inasmuch as common plan will be chalked out acceptable to the majority of the people of Bengal both Hindus and Mussalmans, and thereby not only the most crushing burden of civil administration will be reduced, but new resources will also be tapped to the benefit of the people of Bengal which will revolutionize the whole economic outlook of this province, and this land of ours will be flowing with milk and honey, as is so often described by the poets. It is quite possible that genuine collaboration between the Hindus and Mussalmans of Bengal will be followed by close unity between the two communities in other provinces of India and the words of the late Mr. Gokhale, "What Bengal thinks to-day, India will think to-morrow" will come out true even to-day.

Khan Bahadur M. NAZIRUDDIN AHMAD: From different parts of the House general comments have been made on the Budget and I think at this late hour of the day it is superfluous on my part to repeat them.

I should remind the Hon'ble Finance Minister that some time ago Government appointed a Finance Committee. I am sorry to say that the Committee was never called and it never met. Much of the time and trouble of the Finance Minister in connection with the points that have been raised in the House would have been saved if the Committee was called and consulted. Many honourable members from

different parts of the House have asked for big sums for big schemes, and I think it would be difficult for the Finance Minister to meet those big claims. I have, therefore, chosen to submit before him a very small claim. This is merely a repetition of the claim which I made in the year 1938. I then asked the then Finance Minister to provide the Burdwan Judge's Court building with a latrine. It is a very small prayer, and I believe with a little blessing from the Finance Department it can easily be met. At that time, I submitted certain remarks and attempted to lay before the House some of the difficulties which the lawyers in Burdwan were experiencing and I cannot do better than to repeat them for consideration of the House. With your permission, Sir, I would read what I said in February, 1938, just two years ago:—

"One of my suggestions is about a very trifling matter, and it would be very easy to give effect to it. I desire that a latrine be provided in the District Judge's Court building at Burdwan. This court building is one of the most magnificent in the province. It is an architectural beauty and stands in splendid surroundings. It was erected at a huge cost, possibly 3 lakhs, in 1922, and the then Governor, Lord Lytton, personally went there to open it. But I am sorry to say that up to this time no latrine has been provided therein. The difficulty felt by lawyers and litigants can be better imagined than described. Lawyers though we are, we also feel the call of Nature like other human beings. How the members of the legal profession relieve themselves in this respect cannot be properly described in parliamentary language. Well, all that I can say is that old and venerable trees standing upon the ground since the days of the Permanent Settlement are being subjected to the grossest indignities by eminent lawyers and tenacious litigants with a degree of unconcern which have amazed many a passer-by. One of the most eminent European counsel of Calcutta, an ex-Judge of the High Court, once went to Burdwan to conduct a case, and as a human being felt the urge of Nature. He searched for a suitable place for his relief, but could not find any. His call being a call of Nature took precedence over all other calls, and he had to leave the court in a poor hackney carriage and drive a mile to the railway station, the nearest place where he could relieve himself!"

Mr. PRESIDENT: Order, order. Is it necessary to go into all these details? I think the matter has been sufficiently brought to the notice of the House.

Khan Bahadur M. NAZIRUDDIN AHMAD: I have only one sentence more to complete the quotation.

"The famished horses which dragged the carriage ran a fierce race, and it is reported that he reached his destination just before it was too late!"

That was in 1938 and to-day we are in 1940, but nothing has been done to relieve the lawyers in this respect. From my personal experience also, I can say that my own experience has not been happier than that of the senior Counsel and an ex-Judge of the Calcutta High Court.

Dr. RADHA KUMUD MOOKERJI: On a point of order, Sir. May I suggest that the unedifying statement to which we are being treated might not find a place in the proceedings?

Mr. PRESIDENT: Demands of Nature are not to be considered as unedifying.

Honourable members must remember that the Finance Minister must be given 45 minutes at least to reply to the points raised, and I wish that the members should conclude their speeches as early as possible.

Khan Bahadur M. NAZIRUDDIN AHMAD: Sir, the matter is very important from the point of the people of Burdwan. But I will be short.

Mr. PRESIDENT: Has not the matter been sufficiently stressed?

Khan Bahadur M. NAZIRUDDIN AHMAD: I believe so. I hope that the Finance Minister would take pity on the lawyers and litigants of Burdwan and do something for them. A couple of thousand rupees will, I think, be enough for the purpose and this can be easily provided.

Rai Bahadur KESHAB CHANDRA BANERJEE: In rising to speak on the Budget one has to bid good-bye to that spirit of optimism by which one was actuated at the inauguration of the new Constitution in April, 1937, transferring to popular control the powers which were formerly exercised by a bureaucratic Government. The introduction of Provincial Autonomy, it was thought, would usher in a new era of peace and progress and place Bengal on the high road to economic prosperity which is so essential for the successful administration of the province. But, Sir, the high hopes entertained by the people have been dashed to the ground. This is the third Budget which has been presented to us by the Finance Minister, but we are sorely disappointed at the absence of any well-considered loan for the amelioration of the condition of the people from the educational, sanitary and public health points of view. It is like its two predecessors, a political Budget bereft of foresight and statesmanship and aimed principally at serving the ends of party politics; but we cannot reasonably find fault with the present Finance Minister, who is more an object of sympathy than criticism for the fresh burden imposed upon him of nursing a posthumous child.

Sir, I had no intention of participating in the Budget discussion, but I find I should be failing in my duty if I did not draw the attention of the Government to a notable omission. I am referring to the Bengal Sanskrit Association. A Committee was appointed by Government in their Resolution (Education Department Resolution) No. 3851-Edn., dated the 7th December, 1936, and in Notification No. 61—Education, dated the 5th January, 1937, to enquire into and report upon—

- (1) the control and organisation of the Bengal Sanskrit Association,
- (2) its jurisdiction, and
- (3) its examination system.

The Committee after protracted deliberations submitted their report on the 31st March, 1938. So it took the Committee nearly 15 months to conclude their labours. It is now full two years that the report has been before the Government, and yet the Hon'ble Minister in reply to a question asked by my friend Rai Bahadur Brojendra Mohan Moitra on the 3rd January last stated that the report was under the consideration of Government. The public demand for the separation of the dual functions of the Principal of the Sanskrit College and the Secretary of the Bengal Sanskrit Association still remains unfulfilled. Two years are about to elapse and we are to wait in the fond hope that the long pending scheme will materialise in the near future. The recommendations of the Committee which, it is understood, are of a varied nature, are calculated to improve the present state of affairs considerably, but unfortunately the Government are sitting tight on them. The Committee favoured separation as an immediate necessity to end the present imbroglio arising out of constant friction between the Brahmin Pandits and the Secretary Dr. S. N. Das Gupta.

The Enquiry Committee were of opinion that the Bengal Sanskrit Association should be made an autonomous body with full control over its income and expenditure and with powers to make its own rules and regulations within the framework of the Constitution. The additional cost to Government for such improvement cannot exceed Rs. 10,000 per annum. It is to be regretted that Government are indifferent in this vital matter and regard this paltry sum as too big for an important institution like the Sanskrit Association, which is in charge of Sanskritic education in the province of Bengal.

Sir, as the time at my disposal is limited, I shall not dilate further on this matter, but I hope that the Hon'ble the Finance Minister will make the necessary provision in the Supplementary Budget, and convey to the Minister in charge of the Education Department the earnest

desire of the Hindu members of this House to give effect to the same from the 1st April, 1940, and thereby show that he is not indifferent to Hindu education and culture.

The Hon'ble Mr. H. S. SUHRAWARDY: Mr. President, Sir, may I offer to those honourable members of the House who have tendered to me their sympathy my deepest gratitude? I am grateful to them indeed for their very kind words.

Regarding the Budget itself, Sir, I appreciate the sentiments of congratulation from one section of the House and commiseration from another section and perhaps, I may make bold to say that no one in this House has been a severer critic of the Budget than myself. The financial picture which I have placed before the House is most disappointing and it is impossible for any Government to fulfil its obligations to the people of this province with the finances in the state in which the Bengal finances are at present. I will dilate on this a little bit later.

Sir, but may I deprecate the attitude which is adopted by some honourable members that Budget discussion on the floor of this House is of little value because they have not the power to vote on the various items? On the other hand, Sir, I feel that the discussions on the floor of this House are more valuable on that very account because, without the power to vote on the various items, they are more apt to offer constructive suggestions to Government than merely destructive criticism. And in this, Sir, I have been especially fortunate because many suggestions have flowed from various parts of the House which we value and which will be separately examined by the department.

Sir, the main deficiency of the Budget happens to be the impoverishment of the province's finances. It is no use criticising Government and saying that there is no well-planned policy in regard to Education or Sanitation or Public Health or Irrigation or any other items, when there is no money to back up that policy with. We have all our plans and we are all seething with plans. The plans have been examined and are in the archives of the Secretariat. But what is the use of those plans when we have not got the money to put them through? We have somehow or other to carry on, and I claim, Sir, that we have carried on fairly well with the means at our disposal. May I point out, Sir, that when we came into office, every single department of Government was impoverished, particularly the nation-building departments? For years all the work had been held up. For years there had been cheeseparing. For years attempts had been made to retrench, which honourable members have not apparently realized when they call upon this Government to retrench further. We had in the Cabinet one of the most careful members that it has been the good fortune of Bengal to have, one of the most careful of Finance Members, who was ever

watchful of wasteful expenditure and was most anxious within the powers and the limits of the Constitution to curtail expenditure. I refer to Sir John Woodhead who, for some time, was the Governor of this province. And if honourable members had access to the various files which he started in order to find out the avenue of retrenchment, they would be amazed at the pains that he took in order to curtail expenditure.

Sir, the expenditure on General Administration may seem to be a very large slice of the revenues of the province. It is true that it is a very large slice, but it is not a disproportionate slice, if we on the one hand consider that the revenues of the province are much less than what they ought to be and on the other that we have got to administer an area and a population much greater than in any other part of India. In these circumstances, it is necessary that the cost of General Administration must bear a higher proportion in this province than in any other.

Mr. RANAJIT PAL CHOUDHURY: Overhead charges should be smaller.

The Hon'ble Mr. H. S. SUHRAWARDY: I would like once more to point out to this House that we have spared no pains whatsoever in the direction of retrenchment. Khan Bahadur Abdul Karim spoke of an episode in which a jubilant munisif had appeared in the pre-Reform days and exclaimed that his pay had suddenly been doubled, if not more and said that the increase in the administrative costs had gone up—had been deliberately put up by a Government that on the one hand had given Reforms to the people and on the other treated its servants too well.

Now, Sir, even though I have not compared the figures now existing with the figures of pre-Reform days, we have compared the pay of the officials in Bengal with the officials in other parts of India, and I believe that it will come as a surprise to the honourable members of this House to learn that our officers compare most unfavourably in their emoluments and in their prospects with the officers in other provinces. In spite of that, we have revised the scales of pay and are constantly revising the scales of pay downwards with the result that annually there is some retrenchment. Now, Sir, the Khan Bahadur further stated that there ought to be a Retrenchment Committee because he was unable, if I may say so, to follow, to criticise, or to appraise the White Paper produced by the Retrenchment Officer. In order that there may be a Retrenchment Committee appointed by Government, that is most anxious to retrench and is taking all possible steps to do so, may I say that a better case, than a mere general desire, a mere general call for retrenchment, should be made out. I should be most happy if the

honourable Khan Bahadur and other members of this House were to place constructive suggestions before this House or before the Finance Department or before Government regarding retrenchment in certain directions, namely, how there should be retrenchment, in what manner there should be retrenchment. Until that is done, Sir, I am afraid that a Retrenchment Committee groping in the dark will merely add another burden to the finances of the province.

Sir, Dr. Mookerji, touched the pulse of the real condition of our financial stringency. There can be no question, Sir, that we have been badly dealt with even by the Otto Niemeyer Award. If we meet—and I suppose Dr. Mookerji has also met—members of the Legislatures of other provinces,—when we meet the officials of the Government of India and of other provinces, we, who labour under this great financial handicap, are surprised to find that these officials are jealous of what they call the prosperity of Bengal. I have not yet been able to understand, if I may say so, the mentality of other parts of India, who grudge to Bengal even the small iota of justice which has been meted out to it. When we compare, as Dr. Mookerji has compared—we are familiar with those figures—the area and population of Bengal and the income that we have, with the area and population of other provinces and the income which those provinces have, we find that it is impossible to develop further unless we have a larger income. Now, how are we to have this larger income? It can only be in two ways, either by loans or by taxation.

Dr. RADHA KUMUD MOOKERJI: By fighting with the Government of India.

The Hon'ble Mr. H. S. SUHRAWARDY: Of course, we are going to fight and we are continuing to fight.

Honourable members may be aware that at present the Otto Niemeyer Award itself is going to be modified. What will be the effect of that modification is not yet apparent. But apart from the validity of our contention that we ought to have some share in the increased income of the railways, I think we can legitimately claim that, so far as the jute export duty is concerned, it should be wholly ours or at any rate distributed amongst the jute-growing provinces. (Mr. RANAJIT PAL CHOWDHURY: "Hear! hear!"), and that we should get a larger share in the proportion of income-tax. Sir, these are matters with regard to which there can be no difference of opinion between the Government and the public, because actually we are starved. One of the reasons why I stressed that point so much in my Budget speech, which has raised some controversies on the extent of the gloominess of the picture which I have painted, is to bring home to all those concerned that the finances of this province are in a very bad

state,—something which others do not appreciate. Is it possible for any Government to carry on drawing continuously on its closing balances? Is it possible for any Government to function if its closing balance is only Rs. 24 lakhs above the minimum which it must keep. We must have more money, and we must tap our resources. Certainly, all of us feel aggrieved at the manner in which Bengal has always been treated in the financial settlements, and I think that all of us being of the same mind, our representations may perhaps carry some weight.

May I, however, in proceeding point out exactly what we have done with the increased income that has been bestowed on this province under the Otto Niemeyer Award, and why that income has never been sufficient for us to take up any large scale schemes? For instance, we hear from all parts of the House of the demand that we should introduce free and compulsory primary education. This requires a recurring expenditure which is put down differently as from Rs. 3 to 5 crores. Where is this money to come from? We have had merely an increase of Rs. 88 lakhs, that is to say the difference between the pre-Reform expenditure and the present expenditure. We have had only Rs. 88 lakhs to distribute amongst all these various nation-building heads. Suppose, we want to take up the scheme of water-supply, and try to solve the entire water-supply problem of the province at one stroke. Rs. 88 lakhs will not do it. If we want to introduce in the realm of medical and public health, rural health units, Rs. 88 lakhs will not do it. All these are big schemes and for that we must have money. As I pointed out a little bit earlier that when we came into office every single department was starved and the expenditure in every department had to be cut down to the minimum and the administration was being merely carried on. The money at our disposal has just been sufficient to some extent for revitalising the departments. The figures showing what we have done and how we have prepared a proper jumping ground from which to take up bigger schemes will make this apparent to the honourable members of this House.

The total revenue receipts in 1936-37 were Rs. 12 lakhs 14 thousand. This includes, of course, the money which we had to borrow or which we had to draw upon from the Government of India in order to meet our deficit. This year we have budgeted for Rs. 13 crores 97 lakhs. This includes 68 lakhs as adaptation receipts. Therefore the actual income that we have budgeted for is Rs. 13-29 lakhs. We thus see that we have Rs. 1-15 lakhs more than the 1936-37 Budget. Before the Otto Niemeyer Award, the Government had to pay to the Central Government Rs. 33 lakhs in interest which has been wiped out. Therefore, we have Rs. 1-48 lakhs in excess. Now out of this, we have to deduct Rs. 15 lakhs as the cost of Reforms. It goes for the expenditure of this House and of the Bengal Legislative Assembly. That leaves Rs. 1-13 lakhs. We have to deduct from that the increased expenditure

on the road development account for which there is another fund and that is Rs. 16 lakhs and Rs. 7 lakhs under extraordinary receipts which represent the recoveries of war charges; monies which we have spent and which we will get back from the Government of India. Leaving 1·10 lakhs from which we deduct the pensionary charges of Rs. 22 lakhs which is an unavoidable expenditure, we have a balance of Rs. 88 lakhs. Let us see where this money has gone. It has not gone to General Administration as the honourable members think. The apparent increase in General Administration is due to the fact that the cost of various nation-building departments are debited under that head and the sum of Rs. 3 lakhs which is set apart for rural reconstruction is also under that head.

Now, Sir, most of that increased revenue of ours has gone to the department of Education which is responsible for the increase of Rs. 35·18 thousand, this year over the 1936-37 expenditure. That represents about 40 per cent. of the increase. Now, what would you say? Would you say that we should not spend this money on education, and should continue to spend according to the previous scale? We are spending about Rs. 3·72 thousand for training teachers for primary schools. We have increased the grant to non-Government madrassahs; that accounts for Rs. 1·70 thousand. Rs. 2·48 thousand represents additional provision for scholarships. Then, there are the recurring and non-recurring grants of 1 lakh 50 thousands and 1 lakh 75,000 respectively given for youth welfare which is doing so much good work and which, we hope, will be returned to the nation a hundred-fold. For improvement of primary education, we have allotted Rs. 5 lakhs. This is considered by some to be too little. Perhaps it is. Where I am talking of Rs. 3 to 5 crores, Rs. 5 lakhs is nothing, but where are you going to get the money?

Dr. RADHA KUMUD MOOKERJI: You have got to borrow.

The Hon'ble Mr. H. S. SUHRAWARDY: We can hardly borrow for a department from which there is no return.

A loan really ought to be taken by Government for expenditure on those departments from which there is a return and from which you can provide a sinking fund. For instance, loans for Irrigation purposes or for schemes under the Development Act or for loans to agriculturists and so on may be floated. That would certainly relieve some money which may be spent on other departments which are spending departments. I am prepared to say this, that this sum of Rs. 5 lakhs which has been given this year in the Budget may be considered to be a token amount. It depends upon the amount that we can actually spend, depends on the schemes and the requirements of those districts where the scheme will come into operation. It is not for me either to

agree or to disagree with the suggestion thrown out by Khan Bahadur Saiyed Muazzamuddin Hossain to the effect that we should go in for a more modest scheme for primary education. That is a matter for the Education Department, but so long as I am in charge of the finances of the province, I would welcome any such scheme which is likely to lighten the burden of expenditure.

Rai Sahib INDU BHUSAN SARKER: For youth welfare Rs. 1,15,000 was given last year—

The Hon'ble Mr. H. S. SUHRAWARDY: Yes. There was a non-recurring grant-in-aid of Rs. 1,75,000. This year there is a recurring grant of Rs. 1,50,000, but there is no non-recurring grant.

Then, there are grants-in-aid for non-Government secondary schools for boys—Rs. 1 lakh. There are also grants-in-aid for non-Government secondary schools for girls—Rs. 1 lakh, and also for primary schools for girls—Rs. 58,000. There is a recurring expenditure on the Lady Brabourne College of Rs. 1 lakh. Then there have been grants made to various institutions which are in need of Government patronage like St. Xaxier's College, the Burdwan Raj College, the Dacca University and the Karatia College.

The next large item which has taken a very large slice of this increase is Debt Conciliation which is shown under General Administration. There is an increase of Rs. 22 lakhs. Some honourable gentlemen said that Debt Conciliation has done no good to the people of the province. I most emphatically join issue with him upon the point. We have attended hundreds of meetings and those meetings have been attended by thousands and tens of thousands of persons. I am referring to the village meetings where the rural population had congregated and from no part or corner of such a congregation has this opinion been ever voiced. On the other hand, the poor people of this province are deeply grateful to Government for the work of this department and there is a cry from those parts where the boards have not been established that these boards should soon be established there. When we came into office, we were overwhelmed with petitions from all parts of Bengal for the establishment of boards and we had to establish special boards in subdivisional towns for the purpose of receiving the petitions and, Sir, we shall continue introducing these boards until the position of the poor agriculturists is consolidated and they can stand once more on their feet unburdened with debt. It is said that debt conciliation has been responsible for the drying up of rural credit. To what extent it is responsible or not is a difficult matter to assess because, Sir, rural credit, so far as I remember about the economic condition of this province, had dried up even before the Debt Conciliation Boards were established. It was drying up from